



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

January 10, 2023

6:00pm

## AGENDA

**Note:**

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

Board/Council Members:

John Getter  
Dale Devitt  
Randal Okamura

Brian A. Morris  
Juana Leia Jordan

Secretary:

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

County Liaison(s):

Mike Shannon 702-455-8338 [mds@clarkcountynv.gov](mailto:mds@clarkcountynv.gov)  
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

- III. Approval of Minutes for December 27, 2022. (For possible action)
- IV. Approval of the Agenda for January 10, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
  - 1. **WC-22-400127 (ZC-1740-04)-WH PROPERTIES, LLC:**  
**WAIVER OF CONDITIONS** of a zone change requiring a design review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay Standards and is consistent with architectural treatments shown on the office buildings and retail building with a previously approved zone change to reclassify 11.3 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone for a retail and office center and mini-warehouse facility in the CMA Design Overlay District. Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action) **01/18/23 BCC**
  - 2. **WS-22-0646-WH PROPERTIES, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for modified street standards.  
**DESIGN REVIEWS** for the following: **1)** mini-warehouse facility; and **2)** finished grade on 2.4 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action) **01/18/23 BCC**
  - 3. **NZC-22-0676-COUNTY OF CLARK (AVIATION):**  
**ZONE CHANGE** to reclassify 12.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; **2)** street intersection off-set; and **3)** street dedication.  
**DESIGN REVIEWS** for the following: **1)** single family residential development; and **2)** finished grade in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/gc/ja (For possible action) **02/07/23 PC**
  - 4. **VS-22-0677-COUNTY OF CLARK(AVIATION):**  
**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Oquendo Road, and between Buffalo Drive and Tioga Way (alignment); a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road; a portion of a right-of-way being Russell Road located between Buffalo Drive and Tioga Way; and a portion of a right-of-way being Tioga Way located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/gc/ja (For possible action) **02/07/23 PC**

5. **TM-22-500223-COUNTY OF CLARK(AVIATION):**  
**TENTATIVE MAP** consisting of 80 single family residential lots and common lots on 12.3 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/gc/ja (For possible action) **02/07/23 PC**
  
6. **WC-22-400135 (UC-20-0231)-CHOUL, LLC:**  
**WAIVER OF CONDITIONS** of a use permit to remove a condition limiting the hours of operation to be between 4:00 p.m. and 2:00 a.m. 7 days a week on a portion of 2.5 acres in a C-1 (Local Business) Zone. Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/bb/syp (For possible action) **02/07/23 PC**
  
7. **DR-22-0671-TRI POINTE HOMES NEVADA INC:**  
**DESIGN REVIEW** for a new 3 story model within a previously approved single family residential development on 9.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Patrick Lane and the east side of Hualapai Way within Spring Valley. JJ/sd/ja (For possible action) **02/08/23 BCC**
  
8. **VS-22-0675-TIGER REAL ESTATE LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Lindell Road and Westwind Road, and between Russell Road and Quail Avenue (alignment) within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**
  
9. **WS-22-0674-TIGER REAL ESTATE LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) increase wall height; 3) decrease call box setback; 4) waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 5) decrease private street width.  
**DESIGN REVIEWS** for the following: 1) single family subdivision; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone within the CMA Design Overlay District. Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/lm/ja (For possible action) **02/08/23 BCC**
  
10. **VS-22-0691-DURANGO STOREFLEX, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Butler Street and Durango Drive, and between Capovilla Avenue (alignment) and Warm Springs Road within Spring Valley (description on file). MN/bb/ja (For possible action) **02/08/23 BCC**
  
11. **ZC-22-0679-PROJECT BAM LAND LLC:**  
**ZONE CHANGE** to reclassify 5.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for modified commercial driveway design.  
**DESIGN REVIEWS** for the following: 1) distribution center; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the east side of Miller Lane and the south side of Maule Avenue within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**

12. **VS-22-0680-PROJECT BAM LAND LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Miller Lane and Buffalo Drive, and between Maule Avenue and Badura Avenue within Spring Valley (description on file). MN/lm/ja (For possible action) **02/08/23 BCC**
  
13. **ZC-22-0683-TIEN KUI-MU & YUEH YIN & TIEN TONY:**  
**ZONE CHANGE** to reclassify 1.8 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.  
**USE PERMITS** for the following: 1) convenience store; and 2) gasoline station.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) cross access; 2) allow modified driveway design standards; and 3) allow a non-standard bus turnout.  
**DESIGN REVIEW** for a proposed convenience store with gasoline pumps. Generally located on the east side of Buffalo Drive and the south side of Russell Road within Spring Valley (description on file). MN/rk/ja (For possible action) **02/08/23 BCC**
  
14. **VS-22-0684-TIEN KUI-MU & YUEH YIN & TIEN TONY:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Buffalo Drive and Tioga Way, and between Russell Road and Oquendo Road; and a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/rk/ja (For possible action) **02/08/23 BCC**

VII. General Business

1. Elect a new Chair and Vice Chair of the Spring Valley Town Board. (for possible action)
2. Determine meeting dates for 2023 (for possible action)

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

IX. Next Meeting Date: January 24, 2023.

X. Adjournment.

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

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

<https://notice.nv.gov>

01/18/23 BCC AGENDA SHEET

MINI-WAREHOUSE  
(TITLE 30)

PATRICK LN/ROSANNA ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WC-22-400127 (ZC-1740-04)-WH PROPERTIES, LLC:**

**WAIVER OF CONDITIONS** of a zone change requiring a design review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay Standards and is consistent with architectural treatments shown on the office buildings and retail building with a previously approved zone change to reclassify 11.3 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone for a retail and office center and mini-warehouse facility in the CMA Design Overlay District.

Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-34-601-045

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Mini-warehouse
- Number of Stories: 2
- Building Height (feet): 44
- Square Feet: 125,364
- Parking Required/Provided: 5/23

**History and Request**

The subject property was reclassified to a C-2 zoning district via ZC-1740-04 by the Board of County Commissioners (BCC) in November 2004. The zone change included the property to the north to Oquendo Road. A design review for a retail/office center and a mini-warehouse facility were approved with the application; however, the mini-warehouse facility was never constructed. The BCC imposed a condition with the previously approved zone change requiring a design

review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay Standards and is consistent with architectural treatments shown on the office buildings and retail building. The intent of the condition was to ensure a unified architectural theme and design within the future commercial development and compliance with the CMA Design Overlay District Standards. UC-1514-05 was approved by the BCC in November 2005 for recreational vehicle storage in conjunction with a mini-warehouse facility; however, that facility was never constructed and the application subsequently expired. The condition the applicant is requesting to be waived with this application was previously approved with UC-1514-05, however, is no longer valid as the use permit expired. The applicant is now proposing to construct a mini-warehouse facility on the subject property, consisting of 2.4 acres.

#### Site Plans

The plans depict a proposed 2 story mini-warehouse facility located at the northeast corner of Rosanna Street and Patrick Lane with the following setbacks: 1) 16 feet from the west property line adjacent to Rosanna Street; 2) 25 feet from the south property line along Patrick Lane; 3) 87 feet from the east property line adjacent to the existing commercial development; and 4) 8.5 feet from the north property line adjacent to the existing office development. Access to the mini-warehouse is granted via a commercial driveway along Patrick Lane. A second commercial driveway is located adjacent to Rosanna Street; however, that driveway will be an exit only. A waiver of development standards is required to reduce the departure distance for the commercial driveway along Rosanna Street from the intersection of Patrick Lane and Rosanna Street. The security gates to the facility will remain open during business hours and are set back a minimum of 18 feet from the west and south property lines, adjacent to Rosanna Street and Patrick Lane, respectively. The mini-warehouse requires 5 parking spaces where 23 parking spaces are provided. Six parking spaces are located along the southeast portion of the building while the remaining 17 parking spaces are provided within the interior of the facility. An existing 5 foot wide detached sidewalk is located along Patrick Lane and an existing 5 foot wide attached sidewalk is located along Rosanna Street. A design review to increase finished grade is also a part of this request. The largest increase in finished grade occurs within the central and northern portions of the site.

#### Landscaping

The plans depict a 25 foot wide landscape area, including an existing 5 foot wide detached sidewalk along Patrick Lane. A 16 foot wide landscape area, located behind an existing 5 foot wide attached sidewalk, is located along Rosanna Street. The street landscape area includes trees, shrubs and groundcover. A landscape area measuring up to 16 feet in width, with trees, shrubs, and groundcover, is located at the southeast corner of the site. Parking lot landscaping is equitably distributed throughout the site.

#### Elevations

The plans depict a mini-warehouse facility measuring up to 44 feet in height to the top of the parapet walls. The mini-warehouse facility has varying horizontal roof planes with an exterior consisting of CMU block, EIFS/stucco paneling, decorative metal panels, trim, canopies, and an aluminum storefront window system. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The mini-warehouse will be painted with neutral colors consisting of white and gray.

Floor Plans

The plans depict a 2 story mini warehouse facility measuring 125,364 square feet in area. The first floor consists of 23,778 square feet of storage for household goods, 23,215 square feet of storage for art and wine, and a covered parking area measuring 15,689 square feet. The first floor features lobby areas, manager's office, retail/storage area for packing supplies, display/meeting room for art and wine, and restroom facilities. The second floor area consists of 37,987 square feet of storage for household goods and 24,695 square feet for art and wine storage.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1740-04:

Current Planning:

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- A design review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay standards and is consistent with architectural treatments shown on the office buildings and retail building.

Public Works – Development Review

- Right-of-way dedication to include 30 feet for Rosanna Street with related spandrels; drainage and traffic studies and compliance;
- Full off-site improvements to be coordinated with Clark County Improvement Project which may require signing Special Improvement District and Pavement Participation Agreements;
- If sidewalk does not abut back of curb, dedicate right-of-way to back of curb with applicant granting necessary pedestrian access, streetlight, and traffic control easement;
- If applicable, vacate any excess right-of-way; traffic study to also address dedication and construction of a bus turn-out, including passenger loading/shelter area in accordance with Regional Transportation Commission standards;
- All applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- And all applicable standard conditions for this application type.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed mini-warehouse facility does not match the architectural treatments utilized for the existing office building to the north; however, the mini-warehouse use is compatible with the surrounding commercial development.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500107	1 lot commercial subdivision	Approved by PC	July 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0248	Vacated driveway approaches along Oquendo Road and Patrick Lane	Approved by PC	May 2018
DR-0440-07	Office complex	Approved by BCC	June 2007
VS-1813-05	Vacated a portion of right-of-way being 5 feet of excess right-of-way along Rainbow Boulevard and Patrick Lane	Approved by PC	January 2006
UC-1514-05	Allowed a recreational vehicle storage in conjunction with a proposed mini-warehouse facility, waivers for alternative design and exterior materials, design review for a mini-warehouse facility and associated signage, and waiver of conditions of a zone change (ZC-1740-04) requiring the mini-warehouse facility to have consistent architectural treatments shown on the office and retail buildings / expired	Approved by BCC	November 2005
ADR-0719-05	Exterior building modifications	Approved by ZA	June 2005
ZC-1740-04	Reclassified 11.3 acres from R-E to C-2 zoning with a design review for a retail & office center and a mini-warehouse facility	Approved by BCC	November 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Office building
South	Corridor Mixed-Use	C-2	Office complexes
East	Corridor Mixed-Use	C-2	Shopping center, restaurant, convenience store with gasoline station, & vehicle repair
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E & R-2	Place of worship & single family residential

**Related Applications**

Application Number	Request/
WS-22-0646	A design review for a mini-warehouse facility with a waiver of development standards for departure distance is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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



## **Analysis**

### **Current Planning**

The intent of the previously approved condition was to ensure a unified architectural theme and design within the future commercial development and compliance with the CMA Design Overlay District Standards. UC-1514-05 was approved by the BCC in November 2005 for recreational vehicle storage in conjunction with a mini-warehouse facility; however, that facility was never constructed and the application subsequently expired. The condition the applicant is requesting to be waived with this application was previously approved with UC-1514-05, however, is no longer valid as the use permit expired. Staff ordinarily does not support waiving conditions previously imposed by the BCC. Although the design of the proposed mini-warehouse facility does not match the architectural theme and design of the office building to the north, the contemporary design of the mini-warehouse meets the design criteria established for the CMA Design Overlay District. Therefore, staff recommends approval.

### **Staff Recommendation**

Approval.

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

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

### **PRELIMINARY STAFF CONDITIONS:**

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

- No comment.

#### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: PROBITY INTERNATIONAL CORPORATION**

**CONTACT: JASON VOSSMER, 7115 BERMUDA RD, LAS VEGAS, NV 89119**







01/18/23 BCC AGENDA SHEET

MINI-WAREHOUSE  
(TITLE 30)

PATRICK LN/ROSANNA ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0646-WH PROPERTIES, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for modified street standards  
**DESIGN REVIEWS** for the following: 1) mini-warehouse facility; and 2) finished grade on 2.4 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Rosanna Street and the north side of Patrick Lane within Spring Valley. MN/md/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-34-601-045

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce the departure distance for a proposed driveway on Rosanna Street to 133 feet where a distance of 190 feet is required from the intersection of Patrick Lane and Rosanna Street per Uniform Standard Drawing 222.1 (a 30% reduction).

**DESIGN REVIEWS:**  
1. Mini-warehouse.  
2. Increase finished grade to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).

**LAND USE PLAN:**  
SPRING VALLEY - CORRIDOR MIXED-USE

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

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### Site Plan

The plans depict a proposed 2 story mini-warehouse facility located at the northeast corner of Rosanna Street and Patrick Lane with the following setbacks: 1) 16 feet from the west property line adjacent to Rosanna Street; 2) 25 feet from the south property line along Patrick Lane; 3) 87 feet from the east property line adjacent to the existing commercial development; and 4) 8.5 feet from the north property line adjacent to the existing office development. Access to the mini-warehouse is granted via a commercial driveway along Patrick Lane. A second commercial driveway is located adjacent to Rosanna Street; however, that driveway will be an exit only. A waiver of development standards is required to reduce the departure distance for the commercial driveway along Rosanna Street from the intersection of Patrick Lane and Rosanna Street. The security gates to the facility will remain open during business hours and are set back a minimum of 18 feet from the west and south property lines, adjacent to Rosanna Street and Patrick Lane, respectively. The mini-warehouse requires 5 parking spaces where 23 parking spaces are provided. Six parking spaces are located along the southeast portion of the building while the remaining 17 parking spaces are provided within the interior of the facility. An existing 5 foot wide detached sidewalk is located along Patrick Lane and an existing 5 foot wide attached sidewalk is located along Rosanna Street. A design review to increase finished grade is also part of this request. The largest increase in finished grade occurs within the central and northern portions of the site.

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Elevations

The plans depict a mini-warehouse facility measuring up to 44 feet in height to the top of the parapet walls. The mini-warehouse facility has varying horizontal roof planes with an exterior consisting of CMU block, EIFS/stucco paneling, decorative metal panels, trim, canopies, and an aluminum storefront window system. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The mini-warehouse will be painted with neutral colors consisting of white and gray.

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Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the request to reduce the departure distance is justified as the driveway located on Rosanna Street is an exit drive only; therefore, there will be little to no impact regarding the shorter departure length. The increase in finished grade is necessary because it appears the site has been lowered from its original state when the property immediately to the north was constructed. The applicant intends to put the grade back closer to its native form. The proposed mini-warehouse will not create additional stress on the community and will provide climate-controlled storage for the greater good of the neighborhood. The building has been designed and will be constructed in accordance with the requirements of the Development Code.

Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TM-19-500107	1 lot commercial subdivision	Approved by PC	July 2019
VS-18-0248	Vacated driveway approaches along Oquendo Road and Patrick Lane	Approved by PC	May 2018
DR-0440-07	Office complex	Approved by BCC	June 2007
VS-1813-05	Vacated a portion of right-of-way being 5 feet of excess right-of-way along Rainbow Boulevard and Patrick Lane	Approved by PC	January 2006

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1514-05	Allowed a recreational vehicle storage in conjunction with a proposed mini-warehouse facility, waivers for alternative design and exterior materials, design review for a mini-warehouse facility and associated signage, and waiver of conditions of a zone change (ZC-1740-04) requiring the mini-warehouse facility to have consistent architectural treatments shown on the office and retail buildings - expired	Approved by BCC	November 2005
ADR-0719-05	Exterior building modifications	Approved by ZA	June 2005
ZC-1740-04	Reclassified 11.3 acres from R-E to C-2 zoning with a design review for a retail & office center and a mini-warehouse facility	Approved by BCC	November 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Office building
South	Corridor Mixed-Use	C-2	Office complexes
East	Corridor Mixed-Use	C-2	Shopping center, restaurant, convenience store with gasoline station, & vehicle repair
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E & R-2	Place of worship & single family residential

**Related Applications**

Application Number	Request
WC-22-400127 (ZC-1740-04)	A request to waive a condition requiring a design review as a public hearing to ensure the final mini-warehouse building complies with the CMA Overlay Standards and is consistent with architectural treatments shown on the office buildings and retail building is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waiver of 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.

#### Design Reviews

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties.

#### Design Review #1

Varying roof lines and contrasting colors have been utilized to break-up the mass on portions of the mini-warehouse facility. The mini-warehouse consists of a contemporary design featuring architectural enhancements, detailing, and roofline elements and is compatible with the surrounding commercial development. Therefore, staff can support this request.

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

##### Waiver of Development Standards

Staff has no objection to the reduction in the departure distance for the Rosanna Street commercial driveway. The driveway is exit only and should see minimal usage based on the proposed use.

#### Design Review #2

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

#### **Staff Recommendation**

Approval.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Traffic study and compliance.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0189-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PROBITY INTERNATIONAL CORPORATION**

**CONTACT: JASON VOSSMER, 7115 BERMUDA RD, LAS VEGAS, NV 89119**



# AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: WS-22-0646

Property Owner or Subdivision Name: WH Properties LLC

Public Hearing: Yes  No

Staff Report already created: Yes  No

Delete this application from the: **TAB/CAC** 12/27/22 **PC** \_\_\_\_\_ **BCC** \_\_\_\_\_

Add this application to the: **TAB/CAC** 1/10/23 **PC** \_\_\_\_\_ **BCC** \_\_\_\_\_

**Change(s) to be made:**

- Held no date specific
  - Withdrawn
  - No change to meeting(s) 1/18/23 BCC
  - Amend Write-up
  - Renotify
  - Make a public hearing (Radius: \_\_\_\_\_)
  - Rescheduling
  - Other: \_\_\_\_\_
  - Additional fees – \$AMOUNT OF ADDITIONAL FEES: \_\_\_\_\_
  - Refund
    - 80%
    - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: \_\_\_\_\_

Reason for Change: Applicant will not be available to attend the 12/27/22 Spring Valley TAB and requests WS-22-0646 be added to the 1/10/23 Spring Valley TAB agenda. NO CHANGE TO 1/18/23 BCC MEETING.

Change initiated by: MND Date: 12/7/22

Change authorized by: NM *[Signature]* Date: 12/7/22

Change processed by: *[Signature]* Date: 12/7/22

Follow up assigned to: Mark Instructions: Return file to Mark

Parcel Number(s): 163-34-601-045

Town Board(s): Spring Valley



3

02/07/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

RUSSELL RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
NZC-22-0676-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 12.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) street dedication.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade in the CMA Design Overlay District.

Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/gc/ja (For possible action)

**RELATED INFORMATION:**

**APN:**

163-34-101-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase wall height to 6 feet 8 inches where a maximum of 6 feet is allowed per Section 30.64.020 (a 11.1% increase).
2. Reduce street intersection off-set to 108 feet where a minimum of 125 feet is required per Section 30.52.052 (a 13.6% reduction).
3. Waive dedication of Tioga Way where required per Section 30.52.030.

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase finished grade to 4 feet where a maximum of 3 feet is allowed per Section 30.32.040 (a 33.3% increase).

**LAND USE PLAN:**

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)  
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 12.3

- Number of Lots: 80
- Density (du/ac): 6.5
- Minimum/Maximum Lot Size (square feet): 4,278/7,352 (gross and net)
- Project Type: Single family residential
- Number of Stories: Up to 2
- Building Height (feet): Up to 28.5
- Square Feet: 1,642 to 3,072

### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify 12.3 acres from an R-E zoning district to an R-2 zoning district for a single family residential development. The applicant conducted a neighborhood meeting at Desert Breeze Community Center on September 19, 2022, 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. According to the applicant, the neighbors expressed a preference of a residential use over a commercial use on the site. The neighbors also expressed a concern of losing views from their individual homes. Therefore, the applicant agreed to not build 3 story homes on the site. Otherwise, the neighbors did not express opposition to the project.

### Site Plans

The plans depict a proposed single family residential development consisting of 80 residential lots and 14 common element lots at a density of 6.5 dwelling units per acre. Both gross and net lot sizes range from a minimum of 4,278 square feet to a maximum of 7,352 square feet, with an average lot size of 4,782 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, except for Tioga Way which will be a 44 foot wide private street with a 5 foot wide sidewalk on 1 side of the street. Access to the project is from Russell Road. A 5 foot wide pedestrian access is also provided to Buffalo Drive. The finished grade of the site may increase up to 4 feet due to the topography of the site; and therefore, a design review to increase finished grade is requested. The intersection of a private street (Whistlebeck Avenue) and Tioga Way is 108 feet from the intersection of Russell Road and Tioga Way; and thus, a waiver of development standards for street intersection off-set is necessary.

### Landscaping

A 15 foot wide landscape area with a detached sidewalk is provided along Russell Road and Buffalo Drive. A 6 foot to 10 foot wide landscape area is also provided along some of the interior streets. A waiver of development standards is requested to allow walls up to 6 feet 8 inches between lots and along the perimeter of the development.

### Elevations

The plans show 1, one story model and 3, two story models up to 28.5 feet high, with 4 types of elevation designs. Building materials consist of stucco finish, stucco pop-outs, stone veneer, wrought iron railings, and tile roofing. Decorative trim is provided along all windows and doors on all elevations.

Floor Plans

The plans depict homes ranging in size from 1,642 square feet to 3,072 square feet with 3 to 6 bedrooms, 2 to 4.5 baths, and 2 to 3 car garages.

Applicant's Justification

The applicant states that a number of R-2 zoned subdivisions are already established in the area. The increase in finished grade is necessary since the topography of the site falls from the southwest to northeast; however, the applicant intends to make the elevation difference along the property boundary as minimal as possible. The applicant also states that the proposed increase in wall height is a standard waiver that the applicant requests for its subdivisions in order to provide additional privacy to potential home buyers throughout the development. The waiver of dedication for Tioga Way is being requested since the street terminates within the subdivision, and will be replaced as a private street that acts as an entrance to the subdivision. Since Tioga Way terminates in the subdivision, the reduction in street intersection off-set will not cause any issues due to the minimal traffic in the area.

Surrounding Land Use

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

Related Applications

<b>Application Number</b>	<b>Request</b>
TM-22-500223	A tentative map for an 80 lot single family residential subdivision is a companion item on this agenda.
VS-22-0677	A vacation and abandonment of a 5 foot wide portion of right-of-way being Russell Road and Buffalo Drive, a 60 foot wide portion of right-of-way being Tioga Way, and a 5 foot wide BLM right-of-way grant easement along Russell Road is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the*

*area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

There has been a trend within portions of the Spring Valley area for more residential developments, and this site is located in an area with existing single family residential developments. Immediately to the south of the subject site are 2 single family residential subdivisions that are planned for Neighborhood Commercial uses but were approved for R-2 zoning by nonconforming zone changes (Nzc-19-0737 & Nzc-0002-14). Farther south along Buffalo Drive, there are 2 other existing single family residential developments that were reclassified to the R-2 zoning district by nonconforming zone change applications (Nzc-0001-14 & Nzc-0398-13). Based on these past approvals to reclassify properties along Buffalo Drive to the R-2 zoning district for single family residential developments, staff finds there is a trend in this area for additional single family residential developments. This trend has changed the character of the neighborhood; therefore, staff finds the proposed development will be more consistent and compatible with the character and condition of the area rather than development in conformance to the land use plan.

- 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 adjacent and abutting properties to the north, east, and south are all developed as R-2 zoned single family residential subdivisions. The proposed project consisting of 80 lots at a density of 6.5 dwelling units per acre is similar in density and intensity to the existing single family residential developments in the area. Furthermore, the easternmost portion of the subject site is already currently planned for Mid-Intensity Suburban Neighborhood uses.

- 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 service providers that the approval of this request will have a substantial adverse effect on public services and facilities in this area. However, the proposed increase in density for the site would create an increase in the number of students for schools in this area. Information provided by the Clark County School District (CCSD) indicates this site would be served by Rogers Elementary School, Sawyer Middle School, and Durango High School. CCSD indicates that Rogers Elementary School is over capacity but the middle school and high school are currently under capacity.

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

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Staff finds the project also complies with Policy 1.3.2 which encourages a mix of housing options, product types, and unit sizes.



## **Summary**

### Zone Change

Staff finds that there is a trend changing the character and conditions of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse impact on public services or facilities in the area. In addition, the project will comply with the goals and policies of the Master Plan. Therefore, staff can support the proposed zone change request.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff can support the waiver to increase wall height to 6 feet 8 inches. Staff finds the wall will not adversely impact the surrounding properties and the walls will provide additional privacy for future residents. Similar requests have been approved for other residential developments.

#### Design Review #1

The proposed use of the property is consistent and compatible with existing and planned land uses in the area. The provision of a pedestrian access from the subdivision to Buffalo Drive complies with Policy 6.2.4 which promotes increased connectivity and reduced impediments to pedestrian access, such as block walls and fences, that require the unnecessary use of a vehicle to travel short distances to otherwise adjacent uses. Furthermore, the architectural design of the residences is consistent with existing single family homes in the area; therefore, staff supports the design review request.

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

#### Waiver of Development Standards #2

Staff has no objection to the reduced intersection off-set along Tioga Way between Russell Road and Whistlebeck Avenue. The wide common lot on the west side of Tioga Way improves visibility for those entering the site.

#### Waiver of Development Standards #3

Staff has no objection to Tioga Way not being dedicated as a through street since the subdivisions to the south were approved and developed without Tioga Way, so there is no way it can connect to Oquendo Road.

#### Design Review #2

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

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Department of Aviation**

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

#### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

- Resolution of Intent to complete in 4 years;
- Provide direct pedestrian access from the subdivision to Buffalo Drive;
- 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 Master Plan area plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- If all parcel owners affected by the vacation of Tioga Way do not grant all necessary easements, then Tioga Way shall remain a public street with a minimum right-of-way width of 48 feet and it shall terminate in a cul-de-sac;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian

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

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Department of Aviation**

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

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0448-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PN II, INC.

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE, SUITE 100, LAS VEGAS, NV 89118





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WVS) <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 #)	<b>STAFF</b>  APP. NUMBER: <u>N2L-22-0676</u> DATE FILED: <u>12-8-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1-10-23</u> PC MEETING DATE: <u>2-7-23</u> BCC MEETING DATE: <u>3-8-23</u> FEE: <u>3,615</u>
	<b>PROPERTY OWNER</b>  NAME: <u>County of Clark (Aviation)</u> ADDRESS: <u>500 S. Grand Central Pkwy., 4th Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>PN II, Inc.</u> ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-804-7554</u> CELL: _____ E-MAIL: <u>Kendra.Saffie@PulteGroup.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Westwood Professional Services - Roxanne Leigh</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-34-101-002  
 PROPERTY ADDRESS and/or CROSS STREETS: Buffalo/Russell  
 PROJECT DESCRIPTION: Residential Subdivision

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

Lisa Kremer      Lisa Kremer, Director Clark County RPM  
 Property Owner (Signature)\*      Property Owner (Print)  
 STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON SEPTEMBER 1, 2022 (DATE)  
 By Lisa Kremer, Director  
 NOTARY PUBLIC: Star Prado

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

November 29, 2022

Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

NZC-22-0676

Re: **Buffalo Russell, an 80-lot single family, detached residential subdivision  
Justification Letter for Design Review, Waiver of Development Standards and Non-conforming Zone  
Change.**

To Whom It May Concern,

Westwood Professional Services, on behalf of our client, PN II INC, respectfully submits this application for a Design Review, Waiver of Development Standards and Non-Conforming Zone Change.

**Project Description:** The project site associated with this request is approximately 12.26± gross acres and is APN 163-34-101-002. It is located in a portion of Section 34, Township 21 South, Range 60 East, M.D.M., Clark County, Nevada. This development will consist of 80 lots with a gross density of 6.52 dwelling units/acre.

### **Design Review #1**

The proposed community is a residential subdivision with 80 single family homes on approximately 12.26± gross acres. The gross density will be approximately 6.52 dwelling units per acre. This proposed Non-Conforming Zone change (NZC) would modify the zoning designation from R-E to R-2, while the planned land use is designated as Neighborhood Commercial (NC) with a portion as Mid-Intensity Suburban Neighborhood (MN). In this development, PN II, Inc. will offer four different house plans with four elevation options on each. Of these four house plans, one plan is a single story, and the remaining three plans are two stories. House sizes range from 1,642 square feet to 3,072 square feet, with the target buyer being established families and next generation upgraded home buyers. PN II, Inc. believes the subdivision will be complementary to the surrounding subdivisions.

To the north of the property exists the *Spanish Bay Condos*, with planned land use Mid-Intensity Suburban Neighborhood and R-2 zoning. To the east of the property exists the residential subdivisions *Storybook Homes Russell*, *Saratoga Unit 1 and Saratoga Unit 3*. The existing neighborhoods to the east each consist of detached residential homes, while having planned land use Mid-Intensity Suburban Neighborhood and R-2 zoning. The *Storybook Homes* community to the east also have lots fronting Tioga Way. To the south are two existing R-2 communities with planned land use Neighborhood Commercial, named *Buffalo & Russell* and *Buffalo and Oquendo*. To the west are 2 vacant parcels, 163-33-501-010 and 163-34-101-001 both zoned R-E with planned land use Neighborhood Commercial.

### **Design Review #2**

Per Section 30.32.040, paragraph #9 it is stated that the finished grade for the construction within 100 feet of the property line of a residential use shall not be established more than the standard 36 inches above the grade of any lot or parcel adjacent. The topography of the subject property falls from southwest to northeast. The maximum depth of fill is approximately 4.0'. With the final design of the subject property, PN II INC and Westwood Professional Services shall coordinate throughout to make the elevation difference along the property boundary as well as where any existing washes are filled will be as minimal as possible.

### **Waiver of Standards**

The project is being processed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 and CCAUSD for the project needed to develop the site and anticipated product.

**1. Section 30.64.020 – Fences and Walls**

Standard: 6-foot Walls.

Request: Allow 6-foot 8-inch rear screen wall between lots and along the perimeter of the development.

Justification: This is a standard waiver that PN II, Inc. requests with all their subdivisions to provide additional privacy to the potential home buyers throughout the development.

**2. Section 30.52.052C. – Street Configuration in Residential Subdivisions**

Standard: 125- feet offset measured from right-of-way to right-of-way.

Request: 108-feet

Justification: This request is to allow the offset to be reduced to approximately 108-feet from the existing Russell Road to the proposed Whistlebeck Ave. The configuration of this intersection does not create dangerous traffic motions, as the only traffic congestion on Tioga is that created from the proposed community and the existing 6 lots of the *Storybook Homes Russell* (PW12-20625) subdivision.

**3. Section 30.52.030.D. – Dedication of Right – of – Way**

Standard: Local streets (public), including 16 and 64 section lines; minimum 60 feet in width.

Request: Allow Tioga Way to transition to a 44- foot private street within the proposed subdivision.

Justification: Within the proposed site plan, Tioga Way is a local residential street. Per the recommendations of the Public Works department, Tioga Way will be vacated from Vibrant Peak to Russell Road and rededicated as a private street with the subdivision final map. This street acts as an entrance to the proposed community, it does not continue to the north past Russell Road, and it ends within our subdivision. The only traffic congestion on Tioga Way is that created by entering and exiting the proposed subdivision, as well as accessing the existing six lots of the *Storybook Homes Russell* (PW12-20625) subdivision. A 44' private street is being proposed to meet the minimum drivable width (36') required by the fire department from flow line to flowline. The proposed subdivision shows R type curb and gutter on the west of Tioga Way to accommodate the houses fronting, while the existing subdivision on the east has existing L type curb and gutter. This results in 36.5' of drivable width from flow line to flow line and adheres to fire requirements.

**Compelling Justification for Non-Conforming Zone Change**

The following is a detailed response to the requirements specified for a "Compelling Justification":

**1. A change in law, policies, trends, or facts after the adoption, re-adoption 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.**

Response: According to Policy 1.5.2, page 22 of the Clark County Master Plan established in November of 2021, it states the goal to "cluster higher intensity housing units away from the shared edge of the RNP". Although this subdivision is



proposing a higher density, it blends with the existing neighborhoods surrounding the parcel and does not conflict with the County's goals to sustain Rural Neighborhoods.

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

Response: Although the planned land use for parcel 163-34-101-002 is neighborhood commercial, there are two existing subdivisions to the south are both zoned R-2 with planned land use neighborhood commercial. Additionally, there are three R-2 communities to the east. Therefore, PN II, Inc. believes the existing conditions surrounding the subject property support the request.

**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, because of the uses allowed by the nonconforming zoning.**

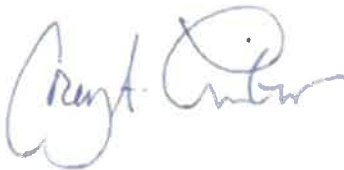
Response: A technical analysis will be done for the drainage and water facilities before the Civil Improvement Plans are submitted and approved. The Police Department, School District and Fire Department that service this area will be contacted for the preparation of the reports required for this non-conforming zone change. After a preliminary analysis, the existing storm drain in Buffalo and Russell appear to convey the flows needed for this parcel to be developed with no storm drain. Russell Road was recently fully paved and with curb and gutter along the northern boundary of the project parcel, therefore, this project will not cut into Russell as to not disrupt the recent improvements. This project will add a 15' landscape buffer onto the existing curb and gutter on Russell with detached sidewalk. Additionally, full improvements will be proposed on Buffalo Drive with a 15' landscape buffer. All facilities proposed by this project will need to be approved by the respective utility and governing agencies to verify the proposed improvements can contribute to the existing facilities without substantial impact.

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

Response: According to Policy 1.1.1, page 19 of the Clark County Master Plan established in November of 2021, it states the goal to "Encourage the provision of diverse housing types at varied densities and in numerous locations". With condos already established on the north side of Russell, the proposed community will blend nicely with the existing R-2 subdivisions surrounding the property while also providing diversity from the existing condos.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,  
WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, P.E. Project Manager  
Cc: Roxanne Leigh, Westwood Professional Services



4

02/07/23 PC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY  
(TITLE 30)

RUSSELL RD/BUFFALO DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-22-0677-COUNTY OF CLARK(AVIATION):**

**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Oquendo Road, and between Buffalo Drive and Tioga Way (alignment); a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road; a portion of a right-of-way being Russell Road located between Buffalo Drive and Tioga Way; and a portion of a right-of-way being Tioga Way located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/gc/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-34-101-002

**LAND USE PLAN:**  
SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)  
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a 5 foot wide easement being a BLM right-of-way grant along Russell Road, 5 foot wide portions of right-of-way being Russell Road and Buffalo Drive, and a 60 foot wide portion of right-of-way being Tioga Way. The applicant states the 5 foot wide easement and rights-of-way need to be vacated to support detached sidewalks, and that the 60 foot wide portion of right-of-way being Tioga Way is being vacated at the recommendation of Public Works to be rededicated as a private street.

**Surrounding Land Use**

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

## Related Applications

Application Number	Request
NZC-22-0676	A nonconforming zone change request from R-E to R-2 zoning, waivers of development standards for increased wall height, street intersection off-set, and street dedication, and design reviews for a single family residential development and finished grade is a companion item on this agenda.
TM-22-500223	A tentative map for an 80 lot single family residential subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Public Works - Development Review

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

#### Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

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

#### Public Works - Development Review

- Drainage study and compliance;
- All parcel owners affected by this vacation to grant necessary access easements;
- If all parcel owners affected by this vacation do not grant all necessary easements, then Tioga Way shall remain a public street with a minimum right-of-way width of 48 feet and it shall terminate in a cul-de-sac;

Update  
Revised

**CLARK COUNTY  
COMPREHENSIVE PLANNING LAND USE APPLICATIONS  
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER  
VS-22-0677/COUNTY OF CLARK(AVIATION)

The following has been entered to Accela for the above referenced land use application for **Public Works - Development Review**.

**Analysis**

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

Recommendation:  
Approval.

Applied by: Jason Allswang  
Date entered: 12/29/2022

**Preliminary Conditions**

- Drainage study and compliance;
- All parcel owners affected by this vacation to grant necessary access easements;
- If all parcel owners affected by this vacation do not grant all necessary easements, then Tioga Way shall remain a public street with a minimum right-of-way width of 48 feet and it shall terminate in a cul-de-sac;
- Return streetlights to Public Works or replace streetlight inventory and convert existing streetlights to private power source;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording. /ja

Comments: 1/3/2023 - added streetlight condition. /ja  
Applied by: Jason Allswang  
Date entered: 1/3/2023

APN(s):  
163-34-101-002



- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-22-0677; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PN II, INC.

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,  
SUITE 100, LAS VEGAS, NV 89118



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# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>VS-22-0677</u>	<b>DATE FILED:</b> <u>12-8-22</u>
		<b>PLANNER ASSIGNED:</b> <u>GRC</u>	<b>TAB/CAC DATE:</b> <u>1-10-23</u>
		<b>TAB/CAC:</b> <u>Spring Valley</u>	
		<b>PC MEETING DATE:</b> <u>2-7-23</u>	
		<b>BCC MEETING DATE:</b> <u>3-8-23</u>	
		<b>FEE:</b> <u>875</u>	

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>County of Clark (Aviation)</u>
	<b>ADDRESS:</b> <u>500 S. Grand Central Pkwy., 4th Floor</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89155</u>
	<b>TELEPHONE:</b> _____ <b>CELL:</b> _____
	<b>E-MAIL:</b> _____

<b>APPLICANT</b>	<b>NAME:</b> <u>PN II, Inc.</u>
	<b>ADDRESS:</b> <u>7255 S. Tenaya Way, Suite 200</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89113</u>
	<b>TELEPHONE:</b> <u>702-804-7554</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>Kendra.Saffle@PulteGroup.com</u> <b>REF CONTACT ID #:</b> _____

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Westwood Professional Services - Roxanne Liegh</u>
	<b>ADDRESS:</b> <u>5725 W. Badura Ave., Suite 100</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89118</u>
	<b>TELEPHONE:</b> <u>702-284-5300</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>lvproc@westwoodps.com</u> <b>REF CONTACT ID #:</b> _____

**ASSESSOR'S PARCEL NUMBER(S):** 163-34-101-002

**PROPERTY ADDRESS and/or CROSS STREETS:** Buffalo/Russell

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 herelo, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted

*[Signature]*  
**Property Owner (Signature)\***  
 STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON SEPTEMBER 1, 2022 (DATE)  
 By Lisa Kremer, Director  
 NOTARY PUBLIC: [Signature]

Lisa Kremer, Director Clark County RPM  
**Property Owner (Print)**

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

November 29, 2022

Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

VS-22-0677

Re: **Buffalo Russell, an 80-lot single family, detached residential subdivision  
Justification Letter for Vacation & Abandonment of Easements and Right of Way  
Westwood Project No. PUL2209-000**

To Whom It May Concern,

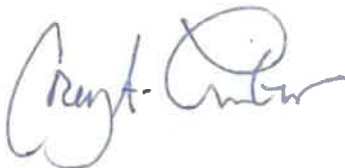
Westwood Professional Services, on behalf of our client, PN II Inc, respectfully submits this justification letter with an application for Vacation & Abandonment of Easements and Right of Way.

**Project Description:** The project site associated with this request is approximately 12.26± gross acres and is APN 163-34-101-002. It is located in a portion of Section 34, Township 21 South, Range 60 East, M.D.M., Clark County, Nevada. This development will consist of 80 lots with a gross density of 6.52 dwelling units/acre.

The applicant is vacating easements and public right of way that conflict with the proposed site plan for the subject residential development. These easements were granted in support of the individual parcels but are no longer required for the proposed development. Vacation no. 1 will include the east 5' of the 50' right of way on Buffalo Drive associated with OR:20011219:01662. Vacation no. 2 & 3 will include the south 5' of the 50' right of way on Russell Road. The documents associated with vacation no. 2 are BLM right of way grant N-59162 OR:950503:00837. The document associated with vacation no. 3 is OR:20011219:01662. Lastly, vacation no. 4 & 5 will include the vacation of the existing Tioga Way Public Right of Way. Per recommendations from Public Works, the applicant is vacating all the Public Right of Way on Tioga from the intersection of Vibrant Peak to Russell Road to re-dedicate the street as private with the subdivision final map. Vacation no. 4 & 5 will include the Public Right of Way associated with OR:2007010401031 & OR:0277:0236529.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,  
WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, P.E. Project Manager

Cc: Roxanne Leigh, Westwood Professional Services



02/07/23 PC AGENDA SHEET

BUFFALO RUSSELL  
(TITLE 30)

RUSSELL RD/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500223-COUNTY OF CLARK(AVIATION):**

**TENTATIVE MAP** consisting of 80 single family residential lots and common lots on 12.3 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District:

Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/gc/ja (For possible action)

RELATED INFORMATION:

**APN:**  
163-34-101-002

**LAND USE PLAN:**  
SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)  
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 12.3
- Number of Lots: 80
- Density (du/ac): 6.5
- Minimum/Maximum Lot Size (square feet): 4,278/7,352 (gross and net)
- Project Type: Single family residential

The plans depict a proposed single family residential development consisting of 80 residential lots and 14 common element lots at a density of 6.5 dwelling units per acre. Both gross and net lot sizes range from a minimum of 4,278 square feet to a maximum of 7,352 square feet, with an average lot size of 4,782 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, except for Tioga Way which will be a 44 foot wide private street with a 5 foot wide sidewalk on 1 side of the street. Access to the project is from Russell Road. A 5 foot wide pedestrian access is also provided to Buffalo Drive.

**Surrounding Land Use**

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

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Neighborhood Commercial	R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-22-0676	A nonconforming zone change request from R-E to R-2 zoning, waivers of development standards for increased wall height, street intersection off-set, and street dedication, and design reviews for a single family residential development and finished grade is a companion item on this agenda.
VS-22-0677	A vacation and abandonment of a 5 foot wide portion of right-of-way being Russell Road and Buffalo Drive, a 60 foot wide portion of right of way being Tioga Way, and a 5 foot wide BLM right-of-way grant easement along Russell Road is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

**Department of Aviation**

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

**Staff Recommendation**

Approval is contingent upon approval of NZC-22-0676 and VS-22-0677. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 8, 2023 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- If all parcel owners affected by the vacation of Tioga Way do not grant all necessary easements, then Tioga Way shall remain a public street with a minimum right-of-way width of 48 feet and it shall terminate in a cul-de-sac;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### **Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Private streets shall have approved street names and suffixes;
- All street suffixes shall be spelled out on the Final Map.

#### **Department of Aviation**

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

#### **Fire Prevention Bureau**

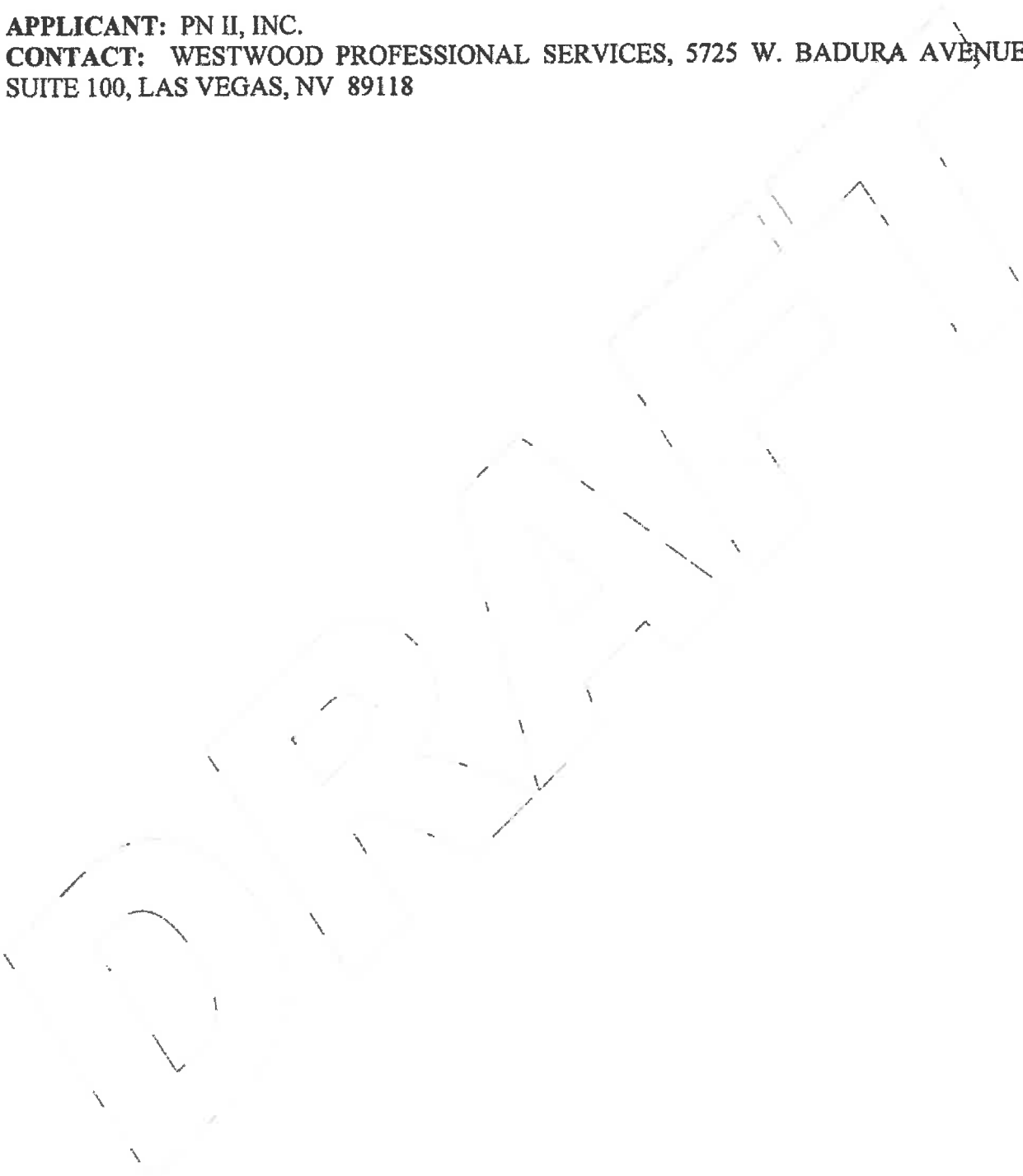
- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0448-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PN II, INC.  
**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,  
SUITE 100, LAS VEGAS, NV 89118



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# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500223</u>	DATE FILED: <u>12-8-22</u>
		PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC DATE: <u>1-10-23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>2-7-23</u>	
		BCC MEETING DATE: <u>3-8-23</u>	
		FEE: <u>750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>County of Clark (Aviation)</u>
	ADDRESS: <u>500 S. Grand Central Pkwy., 4th Floor</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>PN II, Inc.</u>
	ADDRESS: <u>7255 S Tenaya Way, Suite 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-804-7554</u> CELL: _____
	E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u> REF CONTACT ID #: _____


<b>CORRESPONDENT</b>	NAME: <u>Westwood Professional Services - Roxanne Liegh</u>
	ADDRESS: <u>5725 W. Badura Ave., Suite 100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u> CELL: _____
	E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-34-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo/Russell

TENTATIVE MAP NAME: Buffalo Russell

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.

<u><i>Lisa Kremer</i></u> Property Owner (Signature)*	<u>Lisa Kremer, Director Clark County RPM</u> Property Owner (Print)
STATE OF <u>NEVADA</u>	
COUNTY OF <u>CLARK</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>SEPTEMBER 1, 2022</u> (DATE)	
By <u>Lisa Kremer, Director</u>	
NOTARY PUBLIC: <u>Star Prado</u>	

\*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.



02/07/23 PC AGENDA SHEET

HOOKAH LOUNGE/SUPPER CLUB  
(TITLE 30)

JONES BLVD/CHEROKEE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-22-400135 (UC-20-0231)-CHOUL, LLC:**

**WAIVER OF CONDITIONS** of a use permit to remove a condition limiting the hours of operation to be between 4:00 p.m. and 2:00 a.m. 7 days a week on a portion of 2.5 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/bb/syp (For possible action)

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RELATED INFORMATION:

**APN:**

163-13-215-002 ptn

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3650 S. Jones Boulevard, suites 10 through 14
- Site Acreage: 2.5 (portion)
- Project Type: Hookah lounge and supper club
- Number of Stories: 1
- Square Feet: 5,600 (lease space)/23,140 (overall)
- Parking Required/Provided: 93/157

**Site Plans.**

The approved plans show an existing 3,200 square foot hookah lounge and attached 2,400 square foot restaurant with a supper club located within an existing commercial center. The lease area is located in the central portion of an existing in-line retail building which is located near the eastern portion of the property. There is a residential development located directly to the east of the existing commercial center. The subject building shares parking with 1 other pad site building at the corner of Jones Boulevard and Cherokee Avenue. The commercial center has access from both Jones Boulevard and Cherokee Avenue with shared cross access with the property to the south.

Previous Conditions of Approval

Listed below is the approved condition for AR-21-400020 (UC-20-0231):

Current Planning

- Remove the time limit.

Listed below are the approved conditions for UC-20-0231:

Current Planning

- 6 months to review as a public hearing.
- Hours of operation to be limited to 4:00 p.m. to 2:00 a.m. 7 days a week.
- Applicant is advised that 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.

Clark County Water Reclamation District (CCWRD)

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

Applicant's Justification

The applicant is requesting to remove the limitation on hours of operation as conditioned with the approval of UC-20-0231. The applicant would like to operate the business until 4:00 a.m. where the current condition does not allow operations after 2:00 a.m. The original application was submitted by another operator and the applicant states that the current time limit is keeping the business from competing with other similar uses that stay open to later hours.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AR-21-400020 (UC-20-0231)	6 month review and remove time limit	Approved by PC	April 2021
UC-20-0231	Supper club with a hookah lounge and a reduced separation to a residential use	Approved by PC	July 2020
UC-19-0801	Supper club with a hookah lounge and a reduced separation to a residential use	Withdrawn at BCC	January 2020
UC-0513-16	Service bar	Approved by PC	September 2016
UC-0588-15	Supper club and hookah lounge - expired	Approved by PC	October 2015
UC-0389-13	Secondhand sales	Approved by PC	August 2013
UC-0265-08	Supper club and reduced separation from a residential use	Approved by PC	May 2008



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0139-08	Banquet facility - expired	Approved by PC	March 2008
UC-1788-05	Service bar	Approved by PC	December 2005
UC-0779-02	Service bar	Approved by PC	July 2002
ZC-0288-99	Reclassified a portion of the commercial center to C-2 zoning	Approved by BCC	May 1999
DR-1664-96	Shopping center	Approved by PC	November 1996
ZC-0158-96	Reclassified the site to C-1 zoning	Approved by BCC	March 1996

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Neighborhood Commercial	C-1 & C-2	Commercial buildings
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Compact Neighborhood (up to 18 du/ac)	R-3	Condominium complex

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff is concerned that extended hours of operations may not be harmonious with the adjacent and abutting residential uses and may be detrimental to the safety and welfare of those living in the surrounding area. Therefore, staff is unable to support the request.

**Staff Recommendation**

Denial.

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

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 1 year to review as a public hearing.
- 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; 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**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** REDWINE LLC, DBA CRUSH HOOKAH LOUNGE

**CONTACT:** JENNIFER GAYNOR, J. GAYNOR LAW, 1810 S. 7TH STREET, LAS VEGAS, NV 89104

6



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) UC-20-0231-CHOUL, LLC (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>WC-22-400135</u> DATE FILED: <u>12-13-2022</u> PLANNER ASSIGNED: <u>FL</u> TAB/CAC: <u>Spring Suite</u> TAB/CAC DATE: <u>1-10-2023</u> PC MEETING DATE: <u>2-7-2023</u> BCC MEETING DATE: _____ FEE: <u>7475</u>
	<b>PROPERTY OWNER</b> NAME: <u>Choul, LLC</u> ADDRESS: <u>7983 Rio Rico Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-751-2825</u> CELL: <u>702-751-2825</u> E-MAIL: <u>ohanaarealtypm@gmail.com</u>
	<b>APPLICANT</b> NAME: <u>RedWine LLC, dba Crush Hookah Lounge</u> ADDRESS: <u>3650 S. Jones Blvd., Suites 10-14</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(408) 368-6983</u> CELL: <u>(408) 368-6983</u> E-MAIL: <u>admin@crushhookahlounge.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Jennifer Gaynor, J. Gaynor Law, Ltd.</u> ADDRESS: <u>1810 S. 7th Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>(702) 569-3208</u> CELL: <u>(702) 569-3208</u> E-MAIL: <u>jennifer@jgaynorlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-13-215-002

PROPERTY ADDRESS and/or CROSS STREETS: 3650 S. Jones Blvd., Suites 10-14, East side of Jones Blvd. and south of Cherokee Ave.

PROJECT DESCRIPTION: Tenant supper club and hookah lounge wishes waiver of conditions to extend business hours to 4am.

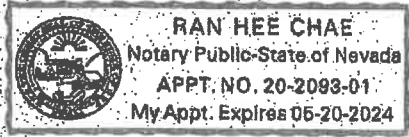
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Jae Sung Kim, Sang Choul Kim  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 28, 2022 (DATE)  
 By Jae Sung Kim, POA of Sang Choul Kim  
 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.



1810 S. 7<sup>th</sup> Street  
Las Vegas, Nevada 89104  
(702) 608-2920  
[jennifer@jgaynorlaw.com](mailto:jennifer@jgaynorlaw.com)  
[www.jgaynorlaw.com](http://www.jgaynorlaw.com)

October 7, 2022

PLANNER  
COPY

**VIA Electronic Submittal**

Clark County Department of Development Services  
Current Planning Division  
500 S. Grand Central Parkway  
Box 551741  
Las Vegas, NV 89155-1741

**RE: Application for Waiver of Conditions to allow extension of business hours**

To Whom It May Concern:

The following justification letter is in support of the request of our client, RedWine, LLC, dba Crush Hookah Lounge ("Crush"), for a Waiver of Conditions to allow an extension of their business hours to 4 am where it is currently limited by condition to 12 am Sunday-Thursday and 2 am on Friday-Saturday. This is in conjunction with the Crush location at 93650 S. Jones Blvd., Suites 10-14, Las Vegas, NV 89103 ("the Property").

The Property is zoned C-1 (Local Business) and encompasses 2.5 acres on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley.

Crush had applied to keep the Supper Club and Hookah Lounge open until 4 am, but was limited in its hours by conditions put on this parcel in UC-20-0231-Choul LLC in 2020, an application filed by a prior tenant. Crush was not aware of this condition at the time they applied for their business licensing and was disappointed to learn of this condition. The owner is having trouble remaining competitive when other similar businesses are open two hours later than they are.

My client takes safety and security seriously, including that they are hiring additional security for weekends/late nights to avoid any disturbances at the Property. They are also open to hearing concerns and recommendations regarding this from neighbors/the Town Board/Planning. This

02/08/23 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT  
(TITLE 30)

HUALAPAI WY/PATRICK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-22-0671-TRI POINTE HOMES NEVADA INC:**

**DESIGN REVIEW** for a new 3 story model within a previously approved single family residential development on 9.3 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Patrick Lane and the east side of Hualapai Way within Spring Valley. JJ/sd/ja (For possible action)

---

RELATED INFORMATION:

**APN:**

163-31-301-022

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 9.3
- Number of Lots/Units: 65
- Density (du/ac): 7.0
- Minimum/Maximum Lot Size (square feet): 3,487/7,745
- Project Type: Single family residential
- Number of Stories: 3 (2 stories previously approved)
- Building Height (feet): 35 (27 previously approved)
- Square Feet: 2,014 up to 2,877 (2,666 previously approved)
- Open Space Required/Provided: None/20,699
- Parking Required/Provided: 143/260

**Site Plans & History**

The previously approved plans depict a single family residential development consisting of 65 lots and 9 common lots. The site is narrow, approximately 180 feet wide along Patrick Lane, and approximately 2,000 feet long along Hualapai Way. Access to the subdivision is from 2 private streets from Hualapai Way. A single private street runs north and south within the development, with a row of lots on each side of the street. The private drive terminates in a turnaround on the

northern end and a stub street on the southern end. The 42 foot private drive has 4 foot wide sidewalks on 1 side of the street. In addition, a drainage easement is centrally located along Hualapai Way between Lot 22 and Lot 23, and another located at the southern end of the subdivision, providing pedestrian access into the subdivision from Hualapai Way.

The applicant has submitted new model residence to the previous approved design review (WS-21-0526) to add a 3 story home option. This 3 story model is the only aspect of this application. The previous application was approved by design review for 1 and 2 story units. The 3 story model will offer approximately 2,877 square feet of living space. With the third story, the maximum building height will measure just less than 35 feet, consistent with the maximum height allowed in the R-2 zone. The 3 story home models that are proposed are only offered on the lots on the west side of the internal street, along Hualapai Way (Lots 1 through 38).

#### Landscaping

No changes to landscaping is proposed or required.

#### Elevations

The approved plans depict 1 and 2 story home models with a maximum height of 27 feet and the current request is to add a new 3 story home model with a maximum height of 35 feet. The previously approved elevations showed some models with a contemporary style with angled roofs and others are a combination of a traditional tile roof with an angled roof. The new home model is more in line with traditional angled roof with tile. Colors of the model range from grey to earth tone.

#### Floor Plans

The floor plans range from 2,014 square feet to 2,666 square feet for the 2 story, and 2,877 square feet for the 3 story option including bedroom, kitchen, dining room, and great rooms. Options such as additional bedrooms, 2 car garages, and lofts are also provided.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states the proposed 3 story model allows for more options for customers. These homes will be located in a small portion of the overall subdivision to minimize impacts to the adjacent subdivision. By limiting the lots on which this option will be offered, the applicant is mitigating any impacts to the existing homes in the Sedona at Southwest Ranch subdivision. Additionally, the homes west of Hualapai Way sit approximately 11 feet to 13 feet above the roadway, which further mitigates the impact of any 3 story models.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-21-0526	Single family residential development with increased wall height, finished grade, alternative yards, and reduced street intersection off-set	Approved by BCC	November 2021
TM-21-500151	65 lot single family residential subdivision with common lots	Approved by BCC	November 2021
UC-19-0872	Planned unit development for a single family attached and detached subdivision with waivers for reduced lot size, increased wall height, modified setbacks, intersection off-set, and increased finished grade - expunged	Approved by BCC	March 2020
TM-19-500230	85 single family residential subdivision with common lots - expunged	Approved by BCC	March 2020
VS-19-0873	Vacated and abandoned easements and right-of-way	Approved by BCC	March 2020
TM-0164-13	85 lot single family residential subdivision - expired	Approved by BCC	November 2013
VS-0593-13	Vacated and abandoned 5 feet of right-of-way being a portion of Hualapai Way - expired	Approved by BCC	November 2013
ZC-0592-13	Reclassified 11.8 acres from R-E to R-2 zoning for an attached and detached single family residential development, with a design review as a public hearing for any significant changes to the plans	Approved by BCC	November 2013
ZC-1035-03	Reclassified 11.8 acres from R-2 to C-1 and C-P zoning for an office development in the Southwest Ranch Concept Plan Area - expired	Approved by BCC	September 2003
ZC-0263-00	Established several zoning districts for approximately 500 acres including R-2 zoning for the subject parcel within the Southwest Ranch Community - expired	Approved by BCC	April 2000
MP-0063-00	Public Facilities Needs Assessment for the Southwest Ranch Community - expired	Approved by BCC	April 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Neighborhood Commercial	C-2	Retail complex
West	Major Development Project (Summerlin) - Single Family Residential (up to 10 du/ac)	R-2	Single family residential

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

The addition of a 3 story home model is consistent in design with the previously approved models. Additionally, the applicant has taken into consideration the existing 1 story single family residences to the east and will only add the 3 story model along the western parcel line along Hualapai Way. The placement of the 3 story option in this area of the approved subdivision will limit impacts to the subdivision to the east, and homes west of Hualapai Way are located at a higher elevation. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- 3 story home model limited to west side of internal private street;
- 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**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**



**APPLICANT:** JENNIFER VERAS

**CONTACT:** KEELEY SMITH, GCW ENGINEERING, 1555 S. RAINBOW BOULEVARD,  
LAS VEGAS, NV 89146







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

7

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input 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) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>DP-22-0671</u> DATE FILED: <u>12/8/22</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1/10/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/8/23</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Tri Pointe Homes Nevada Inc</u> ADDRESS: <u>4675 W. Teco Avenue, Suite 115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 614-1400</u> CELL: _____ E-MAIL: <u>mina.maleki@tripoinehomes.com</u>
	<b>APPLICANT</b>	NAME: <u>Tri Pointe Homes Nevada Inc</u> ADDRESS: <u>4675 W. Teco Avenue, Suite 115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 614-1400</u> CELL: _____ E-MAIL: <u>mina.maleki@tripoinehomes.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Jennifer Veras</u> ADDRESS: <u>1555 S. Rainbow Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702) 804.2000</u> CELL: _____ E-MAIL: <u>jveras@gcwengineering.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-31-301-022

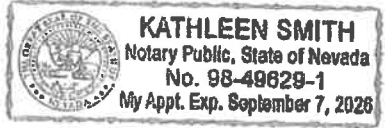
PROPERTY ADDRESS and/or CROSS STREETS: Southeast corner of South Hualapai and West Patrick Lane

PROJECT DESCRIPTION: 65 Lot Residential Subdivision

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

Dan Hale      Dan Hale  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 9/21/22 (DATE)  
 By Dan Hale  
 NOTARY PUBLIC: Kathleen Smith



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

[jlazovich@kcnvlaw.com](mailto:jlazovich@kcnvlaw.com)

702.792.7050

LAS VEGAS OFFICE  
1880 Festival Plaza Drive  
Suite 650  
Las Vegas, NV 89135  
Tel: 702.792.7000  
Fax: 702.796.7181

RENO OFFICE  
50 West Liberty Street  
Suite 700  
Reno, NV 89501  
Tel: 775.852.3900  
Fax: 775.327.2011

CARSON CITY OFFICE  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257

November 30, 2022

**VIA ELECTRONIC UPLOAD**

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

***RE: Revised Justification Letter – Design Review  
APN: 163-31-301-022***

To Whom It May Concern:

Please be advised, this firm represents Tri Pointe Homes Nevada, Inc. (the “Applicant”). The Applicant is requesting a design review of an optional third-story elevation to an approved single family residential development (TM-21-500151, WS-21-0526, VS-19-0873), located at the southeast corner of South Hualapai Way and West Patrick Lane, more particularly identified as APN: 163-31-301-022 (the “Site”).

**DESIGN REVIEW**

In conjunction with the approved single family residential development, the Applicant proposes to add a third-story elevation option. This third-story elevation option is the only subject of this application. All plans within the development were approved for two-story models, and the Applicant now proposes select lots to offer a three-story model option. The three-story model will offer approximately 2,886 square feet of living space. With the third story, the maximum building height will still meet Title 30 requirements, coming in under 35 feet.

For buyers who opt for the three-story model, those homes will only be offered on the western lots along South Hualapai Way (lots 1-38). By limiting the lots on which this option will be offered, the Applicant is mitigating any impacts to the existing homes in the Sedona at Southwest Ranch subdivision. Further, the closest property line will be separated from the proposed three-story option by one row of lots (lots 39-65) with a minimum depth of approximately 59 feet, a 42-foot wide interior road, and a minimum front setback of 10 feet. This separation totals approximately 112 feet from this proposed three-story option, to the existing homes along the east boundary of the Site. Similarly, the existing residences to the west will be buffered by 15-foot rear setbacks on lots 1-38, as well as South Hualapai Way, which is an 85-foot right-of-way, and an existing 30-foot landscape buffer. This separation totals approximately 130 feet to the existing homes to the west. Additionally, the homes along the west sit approximately 11 to 13 feet above Hualapai Way, which further mitigates the impact of any three-story models.

Finally, homes to the north are buffered by West Patrick Lane, a 75-foot right-of-way, and an existing 25-foot landscape buffer, thus separating those homes by approximately 100 feet. To the south is commercial use, which is not expected to be impacted by this third-story elevation option.

Adding this elevation option allows the Applicant to provide diverse options for potential buyers, while still conforming to Title 30. Additionally, development is underway on the previously-approved applications.

Thank you for your consideration of this third-story elevation within the development.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/mkr



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02/08/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

LINDELL RD/RUSSELL RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-22-0675-TIGER REAL ESTATE LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Lindell Road and Westwind Road, and between Russell Road and Quail Avenue (alignment) within Spring Valley (description on file). MN/lm/ja (For possible action)

RELATED INFORMATION:

APN:  
163-36-104-005

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a single family residential development. The request is to vacate 33 foot wide patent easements within the property that the applicant indicates are not necessary for the development of the area. Any required rights-of-way, utility, and drainage easements will be dedicated with the recording of future subdivision map.

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
WS-22-0674	A request for alternative development standards for a single family subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Right-of-way dedication to include 40 feet for Lindell Road;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TIGER REAL ESTATE LLC

**CONTACT:** PETYA BALOVA, BALOVA ENGINEERING, 7495 WEST AZURE DRIVE SUITE 140-C, LAS VEGAS, NV 89130



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# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>VS-0679-22</u> <b>DATE FILED:</b> <u>12/8/2022</u>
		<b>PLANNER ASSIGNED:</b> <u>LMN</u> <b>TAB/CAC:</b> <u>SPRING VALLEY</u> <b>TAB/CAC DATE:</b> <u>1/10/2023</u> <b>PC MEETING DATE:</b> _____ <b>BCC MEETING DATE:</b> <u>2/8/2022</u> <b>FEE:</b> <u>\$ 875-</u>

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>Tiger Real Estate, LLC</u>
	<b>ADDRESS:</b> <u>7490 Jade Meadows Street</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89113</u>
	<b>TELEPHONE:</b> <u>702-985-9190</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>fxp510@gmail.com</u>

<b>APPLICANT</b>	<b>NAME:</b> <u>Franklin Liu TIGER REAL ESTATE, LLC</u> <sup>PB</sup>
	<b>ADDRESS:</b> <u>7490 Jade Meadows Street</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89113</u>
	<b>TELEPHONE:</b> <u>702-742-2376 985-9190</u> <sup>PB</sup> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>frankliu21@gmail.com fxp510@gmail.com</u> <sup>PB</sup> <b>REF CONTACT ID #:</b> _____

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Balova Engineering</u>
	<b>ADDRESS:</b> <u>7495 West Azure Drive</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89130</u>
	<b>TELEPHONE:</b> <u>702-682-1706</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>petya@balovaengineering.com</u> <b>REF CONTACT ID #:</b> _____

**ASSESSOR'S PARCEL NUMBER(S):** 163-36-104-005

**PROPERTY ADDRESS and/or CROSS STREETS:** Lindell and Russell

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

[Signature]  
Property Owner (Signature)\*

Xinping Fan  
Property Owner (Print Name)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON 09/01/2022 (DATE)  
By Xinping Fan  
NOTARY PUBLIC: Chu Ping Yuan



\*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.



December 6, 2022

VS-22-0675

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

Re: WHITE VILLA MINOR RESIDENTIAL SUBDIVISION  
APR22-100388  
APN 163-36-104-005

The purpose of this letter is to request a Waiver of Development Standards on behalf of the owner, Tiger Real Estate, LLC for a proposed four-lot residential subdivision, located on a 2.5-acre parcel on Lindell Road, south of Russell Road, Assessor's Parcel Number 163-36-104-005.

The parcel and the surrounding parcels are zoned R-E (Rural Estate Residential) within AE-60 and RNP 1 overlay. The Planned Land Use for the subject property is Ranch Estate Neighborhood. Adjacent to the east is Lindell Road, which is a paved collector street with no other offsite improvements. Adjacent to the east and to the south are fully developed residential lots. Adjacent to the north is a vacant lot.

A natural wash crosses the parcel along its south property line. That portion of the parcel is designated by FEMA as Flood Zone A, which cannot be build upon until a drainage study is approved and a letter of map revision is approved by FEMA. A screen wall will be constructed along the northern boundary of the drainage easement. We expect the flood zone boundaries to be substantially reduced to allow the screen wall to be moved close to the south property line. This process will take a long time, so we will only be able to improve the northerly two lots and continue with the south two lots in the future. The adjustment of the wall after FEMA map revision will allow for more buildable lot area.

The property will be subdivided into four lots, which will be developed with custom designed homes. The proposed improvements also include paving, roll curb, and underground utilities. The residential subdivision will be gated with landscape median and a call box. An 8-foot-high decorative block wall is proposed at the interior lot lines and along Lindell Road (80-foot right-of-way), and an 8-foot CMU block wall along the north and south boundaries of the site. Portions of the perimeter wall will be combination of retaining and screen wall for a total of 10 feet high.

A 3-foot streetlight and traffic control devices easement has been provided along Lindell. The west 40-foot right-of-way of Lindell will be dedicated per parcel map. The east 40 feet has not been dedicated

yet. A 33-foot patent easement exists on the property. We have also prepared a separate application for Vacation and Abandonment of patent easements to be submitted concurrently with this request.

We are requesting the following:

**DESIGN REVIEW**

Design Review for increased grade height up to 4.86 feet where 3 feet is allowed per 30.32.040.a.9 (a 31% increase).

Due to the substantial elevation difference of the adjacent properties, and the existing wash to the south, proposed grades must be increased to match the existing grades and provide positive drainage. The difference between the existing and the proposed elevation is due to the existing wash to the south and the proposed drainage easement along the north side, as well as the proposed access being at a high point in the street. The proposed finish floor (FF) elevations are close to the FF elevations of the existing subdivision to the south, and approximately 8 feet below the FF elevations to the west.

**WAIVERS OF DEVELOPMENT STANDARDS**

**WAIVER 1**

Full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Lindell Road.

Justification: Currently Lindell Road is a paved access road within a Rural Neighborhood Preservation area, where there are no full off-sites installed between Russell and Sunset (one mile). In addition, due to the large wash, crossing the street from west to east, full offsites cannot be installed without changing the street alignment.

**WAIVER 2**

Allow alternative street landscaping along a collector street (Lindell Road) where Figure 30.64-17 is required

Justification: The proposed subdivision is part of a RNP area, and we would like to preserve the rural characteristics. There are no other developments in the neighborhood with landscaping outside the corresponding perimeter walls along public streets. In addition, under the current drought conditions, we would like to waive this requirement.

Please note, a 3-foot utility easement will be provided as per CC Public Works requirements. The proposed perimeter wall will be offset 3 feet, which provides a buffer from the public street. We are proposing a gravel cover as an alternative to landscaping.

**WAIVER 3**

Increase retaining wall height to 4 feet with a 6 feet screen wall for a total of 10 foot overall wall height, where a maximum retaining wall height up to 3 feet with 6 feet screen wall for a total of 9-foot overall height is allowed per Section 30.64.050

Justification: This waiver is needed for portions of the perimeter wall to match the existing grades and provide positive drainage.

**WAIVER 4**

Increase fence height up to 8 feet where a maximum 6-foot-high decorative fence is permitted per Table 30.64-1.

Justification: The Waiver is needed for more privacy and security

**WAIVER 5:**

- a. Decrease the call box location to 35 feet where 50 feet is required, per Uniform Standard Drawing 222.1 (a 30% reduction)
- b. Decrease the private street entry width for a gated community to 44 feet from lip of curb to lip of curb where 48 feet is required, per Uniform Standard Drawing 222.1 (an 8% reduction).

Justification: This gated access will only serve four homes, where the residents will have remote control access. Access gate setback meets the requirement of Section 30.64.020.5.A for a minimum of 50 feet to the lip of gutter to the security gate for stacking vehicles. As far as the access width, 20 feet lip to lip is acceptable per conversation with the CC Fire Department staff. No detrimental impact on traffic is expected.

**VACATION AND ABANDONMENT OF PATENT EASEMENTS**

The patent easements are no longer needed for roadway and utility purposes. Any utility and/or drainage easements will be retained per agencies' and/or utility companies' requests.

We believe that our request is compatible with the adjacent developments within the area and the approval of this request will have no detrimental effect on the surrounding areas.

If you require further information, please feel free to contact me at (702) 682-1706.

Sincerely,



Petya Balova, P.E.  
Balova Engineering

REVISED

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02/08/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

LINDELL RD/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0674-TIGER REAL ESTATE LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) increase wall height; 3) decrease call box setback; 4) waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 5) decrease private street width.

**DESIGN REVIEWS** for the following: 1) single family subdivision; and 2) finished grade on 2.5 acres in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone within the CMA Design Overlay District.

Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/lm/ja (For possible action)

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RELATED INFORMATION:

APN:

163-36-104-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along a collector street (Lindell Road) where Figure 30.64-17 is required.
2. a. Increase screen wall height up to 8 feet where a maximum 6 foot high wall is permitted per Table 30.64-1.  
b. Increase retaining wall height up to 6 feet where a maximum retaining wall height up to 3 feet is allowed per 30.64.050.
3. Decrease the call box location to 35 feet where 50 feet is required per Uniform Standard Drawing 222.1 (a 30% reduction).
4. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Lindell Road.
5. Decrease the private street entry width for a gated community to 44 feet from lip of curb to lip of curb where 48 feet is required per Uniform Standard Drawing 222.1 (an 8% reduction).

**DESIGN REVIEWS:**

1. Single family residential subdivision.
2. Increase finished grade to 5 feet where a maximum of 3 feet is the standard per 30.32.040 (a 67% increase).

## LAND USE PLAN:

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

## BACKGROUND:

### Project Description

#### General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots/Units: 4
- Density (du/ac): 1.6
- Minimum/Maximum Lot Size (square feet): 21,139/25,306
- Project Type: Single family residential

#### Site Plans

The plan depicts a 4 lot residential subdivision with gated access to Lindell Road. The 4 lots range in size from 21,139 square feet to 25,306 square feet. The gated access is set back 59 feet with the call box located 35 feet from edge of right-of-way.

The plans show a combination of 4 foot high retaining wall with 6 foot high screen wall on top along the following: Lindell Road, northern boundary of the Flood Zone within Lot #3 and Lot #4, and a portion of the north property line. A 6 foot high retaining wall is proposed along the west property line, adjacent to developed residential lots. Plans also show interior subdivision screen walls proposed at 8 feet high. All walls mentioned above necessitate the waivers of development standards for increasing the height.

Lastly, plans depict 8 foot high walls on both sides of the private street, immediately adjacent to the gates, which continue toward Lindell Road and are in compliance with Title 30 requirements.

#### Landscaping

The plan depicts a 3 foot wide street light and traffic conduit easement with a gravel groundcover located behind the future back of sidewalk along Lindell Road. A 10 foot high combined retaining wall with screen wall will be constructed along Lindell Road with 8 foot high walls located between the lots.

#### Applicant's Justification

The applicant indicates that the site is encumbered by a wash on the southerly portion of the site. The developers will process a request to reduce the FEMA designation which will allow for more buildable area on the proposed 2 southerly lots. Since the process will take some time, after the parcels have been mapped, a wall will be placed at the current limit of the FEMA Flood Zone A boundary for site security purposes. Once the Flood Zone has been reduced or re-designated the wall will be reconstructed to the farthest extent possible to the south allowing for a larger buildable lot area. Additionally, custom designed homes will be constructed, and the proposed design is not known at this time. The street improvements are requested to match the existing rural neighborhood street improvements where there are no full off-sites between Russell Road and Sunset Road. Additionally, the applicant would like to preserve the rural characteristics of the neighborhood where there is no landscaping along street frontages while



maintaining site privacy. Lastly, the applicant indicates that with there only being 4 homes within the gated community and property owners having keyless entry, there should not be an issue of vehicles cueing into Lindell Road for access to the development.

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0675	A request to vacate and abandon patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

Waivers of Development Standards #1, #2 & Design Review #1

The burden of development is to provide the current standards determined for the community. While it may be reasonable to increase the site grade and provide retaining walls, staff is concerned with making a walled neighborhood that does not provide aesthetic improvements along the street frontage, especially when the site is creating large parcels that are over the minimum lot area; therefore, staff is unable to support these requests.

**Public Works - Development Review**

Waiver of Development Standards #3

Staff finds the request to reduce the throat depth to the call box to be a self-imposed hardship. As a vacant site, the design can be minimally changed to comply with the minimum standards.

#### Waiver of Development Standards #4

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.

#### Waiver of Development Standards #5

Staff has no objection to the reduced street width provided that Fire Prevention approves the request. However, since staff is not supporting the application in its entirety, staff cannot support this request.

#### Design Review #2

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

#### **Department of Aviation**

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

#### **Staff Recommendation**

Denial.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

If approved:

- 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;
- Right-of-way dedication to include 40 feet for Lindell Road;
- Clark County Fire Prevention approval of the reduced street width;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### **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.

#### **Fire Prevention Bureau**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0477-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TIGER REAL ESTATE LLC

**CONTACT:** PETYA BALOVA, BALOVA ENGINEERING, 7495 WEST AZURE DRIVE,  
SUITE 140-C, LAS VEGAS, NV 89130

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# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input 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 #)	<b>STAFF</b>  APP. NUMBER: <u>WS-22-0674</u> DATE FILED: <u>12/8/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1/10/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/8/2023</u> FEE: <u>\$975-</u>
	<b>PROPERTY OWNER</b>  NAME: <u>TIGER REAL ESTATE, LLC</u> ADDRESS: <u>7490 Jade Meadows Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-985-9190</u> CELL: _____ E-MAIL: <u>fxp510@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Franklin Liu TIGER REAL ESTATE, LLC (PB)</u> ADDRESS: <u>7490 Jade Meadows Street</u> CITY: <u>Las Vegas (PB)</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-742-2373 985-9190</u> CELL: _____ E-MAIL: <u>frankliu21@gmail.com</u> REF CONTACT ID #: _____ <u>fxp510@gmail.com (PB)</u>
<b>CORRESPONDENT</b>  NAME: <u>Petya Balova</u> ADDRESS: <u>7495 West Azure Dr, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>702-682-1706</u> CELL: <u>702-682-1706</u> E-MAIL: <u>Petya@balovaengineering.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-36-104-005

PROPERTY ADDRESS and/or CROSS STREETS: Lindell and Russell

PROJECT DESCRIPTION: Waiver of Development Standards

(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.

Fan Xin PUC      Xiuping Fan  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

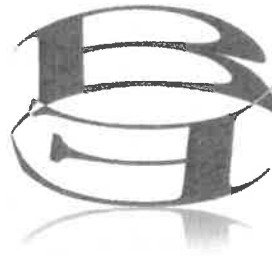
SUBSCRIBED AND SWORN BEFORE ME ON 09/01/2022 (DATE)  
 By Xiuping Fan

NOTARY PUBLIC: Chu Ping Yuan



CHU PING YUAN  
 Notary Public - State of Nevada  
 County of Clark  
 APPT. NO. 19-5698-01  
 My App. Expires Sept. 1, 2023

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



WS-22-0674

December 6, 2022

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

Re: WHITE VILLA MINOR RESIDENTIAL SUBDIVISION  
APR22-100388  
APN 163-36-104-005

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A natural wash crosses the parcel along its south property line. That portion of the parcel is designated by FEMA as Flood Zone A, which cannot be build upon until a drainage study is approved and a letter of map revision is approved by FEMA. A screen wall will be constructed along the northern boundary of the drainage easement. We expect the flood zone boundaries to be substantially reduced to allow the screen wall to be moved close to the south property line. This process will take a long time, so we will only be able to improve the northerly two lots and continue with the south two lots in the future. The adjustment of the wall after FEMA map revision will allow for more buildable lot area.

The property will be subdivided into four lots, which will be developed with custom designed homes. The proposed improvements also include paving, roll curb, and underground utilities. The residential subdivision will be gated with landscape median and a call box. An 8-foot-high decorative block wall is proposed at the interior lot lines and along Lindell Road (80-foot right-of-way), and an 8-foot CMU block wall along the north and south boundaries of the site. Portions of the perimeter wall will be combination of retaining and screen wall for a total of 10 feet high.

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yet. A 33-foot patent easement exists on the property. We have also prepared a separate application for Vacation and Abandonment of patent easements to be submitted concurrently with this request.

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#### WAIVERS OF DEVELOPMENT STANDARDS

##### WAIVER 1

Full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Lindell Road.

Justification: Currently Lindell Road is a paved access road within a Rural Neighborhood Preservation area, where there are no full off-sites installed between Russell and Sunset (one mile). In addition, due to the large wash, crossing the street from west to east, full offsites cannot be installed without changing the street alignment.

##### WAIVER 2

Allow alternative street landscaping along a collector street (Lindell Road) where Figure 30.64-17 is required

Justification: The proposed subdivision is part of a RNP area, and we would like to preserve the rural characteristics. There are no other developments in the neighborhood with landscaping outside the corresponding perimeter walls along public streets. In addition, under the current drought conditions, we would like to waive this requirement.

Please note, a 3-foot utility easement will be provided as per CC Public Works requirements. The proposed perimeter wall will be offset 3 feet, which provides a buffer from the public street. We are proposing a gravel cover as an alternative to landscaping.

##### WAIVER 3

Increase retaining wall height to 4 feet with a 6 feet screen wall for a total of 10 foot overall wall height, where a maximum retaining wall height up to 3 feet with 6 feet screen wall for a total of 9-foot overall height is allowed per Section 30.64.050

Justification: This waiver is needed for portions of the perimeter wall to match the existing grades and provide positive drainage.

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Justification: The Waiver is needed for more privacy and security

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- a. Decrease the call box location to 35 feet where 50 feet is required, per Uniform Standard Drawing 222.1 (a 30% reduction)
- b. Decrease the private street entry width for a gated community to 44 feet from lip of curb to lip of curb where 48 feet is required, per Uniform Standard Drawing 222.1 (an 8% reduction).

Justification: This gated access will only serve four homes, where the residents will have remote control access. Access gate setback meets the requirement of Section 30.64.020.5.A for a minimum of 50 feet to the lip of gutter to the security gate for stacking vehicles. As far as the access width, 20 feet lip to lip is acceptable per conversation with the CC Fire Department staff. No detrimental impact on traffic is expected.

VACATION AND ABANDONMENT OF PATENT EASEMENTS
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The patent easements are no longer needed for roadway and utility purposes. Any utility and/or drainage easements will be retained per agencies' and/or utility companies' requests.

We believe that our request is compatible with the adjacent developments within the area and the approval of this request will have no detrimental effect on the surrounding areas.

If you require further information, please feel free to contact me at (702) 682-1706.

Sincerely,

*Petya Balova*

Petya Balova, P.E.  
Balova Engineering

02/08/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

BUTLER ST/WARM SPRINGS RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-22-0691-DURANGO STOREFLEX, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Butler Street and Durango Drive, and between Capovilla Avenue (alignment) and Warm Springs Road within Spring Valley (description on file). MN/bb/ja (For possible action)

RELATED INFORMATION:

APN:  
176-04-401-010

LAND USE PLAN:  
SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The applicant is proposing to vacate remaining patent easements along the north, west, and east sides of the lot. The north and west sides are 33 foot patent easements, while the east side has 3 feet of patent easement area to be vacated. Butler Street right-of-way serves this property along the east side of the lot. Surrounding properties have adequate access to Warm Springs Road, Durango Drive, and Arby Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0542	Reclassified from C-2 to M-D zoning for office/mini-warehouse uses with a waiver for throat depth	Approved by BCC	November 2022
UC-0168-08	Increased building height for a hotel - expired	Approved by BCC	March 2008
ZC-0311-07	Reclassified the site from R-E to C-2 zoning for future commercial development	Approved by BCC	May 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	U-V	Undeveloped
South	Corridor Mixed-Use	C-2	Commercial center

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Business Employment & Public Use	C-2 & R-E	Office buildings & NV Energy substation
West	Corridor Mixed-Use	C-2	Shopping center

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

Vacating the existing patent easements will not land lock any property and there are adequate rights-of-way serving the area.

##### Public Works - Development Review

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

##### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

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

#### Public Works - Development Review

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

#### Fire Prevention Bureau

- No comment.



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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LOU OCHOA

**CONTACT:** JOE PECK, LOCHSA ENGINEERING, 6345 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118







# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

10

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>US-22-0691</u>	<b>DATE FILED:</b> <u>12-13-2022</u>
		<b>PLANNER ASSIGNED:</b> <u>SSB</u>	<b>TAB/CAC DATE:</b> <u>1-10-2023</u>
		<b>TAB/CAC:</b> <u>Spring Valley</u>	
		<b>PC MEETING DATE:</b> _____	
		<b>BCC MEETING DATE:</b> <u>2-8-2023</u>	
		<b>FEE:</b> <u>\$ 875</u>	

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>Durango Store Flex LLC (Attention: Michael Ochoa)</u>
	<b>ADDRESS:</b> <u>901 N. Green Valley Parkway, Suite 130</u>
	<b>CITY:</b> <u>Henderson</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89074</u>
	<b>TELEPHONE:</b> <u>(702) 292-9213</u> <b>CELL:</b> <u>(702) 292-9213</u>
	<b>E-MAIL:</b> <u>michael@wdcnevada.com</u>

<b>APPLICANT</b>	<b>NAME:</b> <u>Lou Ochoa</u>
	<b>ADDRESS:</b> <u>901 N. Green Valley Parkway, Suite 130</u>
	<b>CITY:</b> <u>Henderson</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89074</u>
	<b>TELEPHONE:</b> <u>(702) 292-9213</u> <b>CELL:</b> <u>(702) 292-9213</u>
	<b>E-MAIL:</b> <u>Lou@wdcnevada.com</u> <b>REF CONTACT ID #:</b> _____

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Edgar León, PE (from Lochsa Engineering)</u>
	<b>ADDRESS:</b> <u>6345 S Jones Boulevard, Suite 100</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89118</u>
	<b>TELEPHONE:</b> <u>(702) 365-9312</u> <b>CELL:</b> <u>(702) 277-4786</u>
	<b>E-MAIL:</b> <u>Edgar@Lochsa.com</u> <b>REF CONTACT ID #:</b> _____

**ASSESSOR'S PARCEL NUMBER(S):** 176-04-401-010

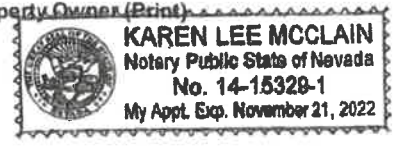
**PROPERTY ADDRESS and/or CROSS STREETS:** Warm Springs Road & Butler Street

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.

*[Handwritten Signature]*

Michael Ochoa  
Property Owner (Print)

**Property Owner (Signature)\***  
 STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON July 12, 2022 (DATE)  
 By Michael Ochoa  
 NOTARY PUBLIC: Karen Lee McClain



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

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



August 9, 2022

Clark County Comprehensive Planning  
Pre-Review  
500 South Grand Central Parkway  
Las Vegas, NV 89106

VS-22-0691

Subject: Patent Easement Vacation - Justification Letter Butler Street and Warm Springs Road  
Lochsa Engineering Project No. 211188  
APN 176-04-401-010

Dear Sir or Madam,

This letter is intended to provide as justification to vacate a patent easement located on APN 176-04-401-010. We are working on a project entitled "Vacation of Patent Easement for South Butler Street and Warm Springs Road" which is presently a vacant parcel. The Parcel has an original Patent Easement that will need to be vacated. Right of Way will be dedicated as part of the plan approval process. The area surrounding subject site is generally developed with dedicated public Rights-of Way adjacent to Butler Street to the East. Proposed vacation of existing patent easements will not land lock surrounding properties.

We respectfully request a favorable review and approval to vacate said Patent Easement. Described as, Reservations and Provisions as contained in patent from the United States of America, recorded February 28, 1961, in Book 285 of Official Records, as instrument No.2300408.

Please do not hesitate to contact our office at your earliest convenience, should you have any questions regarding any of the above.

Sincerely,

Joe K. Peck



PLANNER  
COPY

VS-22-0691

"At the end of the day people won't remember what you said or did, they will remember how you made them feel." – Maya Angelou

O: (702) 365-9312  
Las Vegas, Nevada  
joe@lochsa.com  
www.lochsa.com

"Valued clients, team mates, colleagues, etc., please note that Lochsa Engineering will be implementing Summer Office Hours starting Friday June 3rd. Our office will be closing at noon (PST) on Fridays through the Labor Day Holiday Weekend. Thank you very much."

www.lochsa.com | Las Vegas | Boise | Denver

02/08/23 BCC AGENDA SHEET

DISTRIBUTION CENTER  
(TITLE 30)

MILLER LN/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-22-0679-PROJECT BAM LAND LLC:**

**ZONE CHANGE** to reclassify 5.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

**WAIVER OF DEVELOPMENT STANDARDS** for modified commercial driveway design.

**DESIGN REVIEWS** for the following: 1) distribution center; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District.

Generally located on the east side of Miller Lane and the south side of Maule Avenue within Spring Valley (description on file). MN/lm/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-701-007

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce required throat depth to 13 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 48% reduction).
- b. Reduce required driveway departure distances to 149 feet where 190 feet is required, per the Uniform Standard Drawing 222.1 (a 21% reduction).

**DESIGN REVIEWS:**

1. Distribution Center.
2. Alternative parking lot landscaping where Figure 30.64-14 is required.
3. Increase finished grade to 7.5 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 150% increase).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Project Type: Distribution center

- Number of Stories: 1
- Building Height (feet): 42
- Square Feet: 76,700
- Parking Required/Provided: 77/84

#### Site Plan

The applicant is requesting a conforming zone change from R-E to M-D zoning for a distribution center. The building is set back a minimum of 20 feet from Badura Avenue and Maule Avenue, and 72 feet from Miller Lane. Access to the site is provided from 2 proposed commercial driveways along Miller Lane and 1 commercial driveway along Badura Avenue. The complex requires 77 parking spaces where 84 parking spaces are provided which are evenly distributed on both sides of the building, within the east and west parking areas. Loading docks are located on the east side of the building, facing undeveloped land which is approved for C-2 zoning and master planned Business Employment. There is no access between the east and west parking areas; therefore, it is anticipated the truck traffic will enter and exit from Badura Avenue, with no access to Maule Avenue. Trucks will utilize the hammerhead turnaround at the north end of the parking area to turn around to exit back onto Badura Avenue. A right turn only out of the site is shown onto Badura Avenue. Bicycle parking is provided along the west side of the building. Trash enclosures are located on the east side of the development.

#### Landscaping

The street landscaping consists of a varying width landscape area along the boundary of the property, with detached sidewalks along each street frontage. The landscape area along Miller Lane is 15 feet along the street frontage. Street landscaping along Maule Avenue is provided with over 15 feet of landscaping. Street landscaping along Badura Avenue is provided with over 15 feet of landscaping. A 7 foot wide landscape area is provided along the east property line with a 4 foot retaining and screen wall. Parking lot landscaping, including the required number of trees, is provided along all parking areas, with fingers generally dispersed throughout the site. The required materials include Seedless Desert Willow, Shoestring Acacia, Palo Brea, and African Sumac.

#### Elevations

The plans depict a distribution center with an overall height of 42 feet. Exterior materials include desert tones painted on CMU walls, metal trellis entry covers, and storefront entries. The building includes moderate variations in architectural design and materials in the building façade and roofline to break-up the horizontal elevations. Site lighting and signage are not a part of the request.

#### Floor Plans

The distribution center building contains 76,700 square feet with recessed concrete apron on the east side and up to 4 office areas for tenants.

#### Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the requested zoning conforms to the Master Plan. The parking areas have been designed to separate the office parking area away from the truck access and loading areas on the west side of the building to allow for reduced traffic conflicts for traffic accessing Miller Lane, which is not a through street to the north or south. Additionally, there is no outside storage on the site. The applicant also indicates that the request for increased finished grade is necessary due to the site topography.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Business Employment	R-4	Multiple family residential
East	Business Employment	R-E (ROI to C-2)	Commercial development
West	Business Employment	R-3	Multiple family residential

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

Related Applications

<b>Application Number</b>	<b>Request</b>
VS-22-0680	A request to vacate and abandon patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

Although this request conforms to the Master Plan and may comply with applicable goals and policies for this type of development, the surrounding zoning appears to make the proposed M-D zoning not compatible with the surrounding neighborhood. An existing multiple family development in an R-4 zoned district is located to the north of the site; an R-3 zoned development exists to the west of the site and a U-V zoned development and R-4 zoned development are located to the south. Staff understands that development along Badura Avenue contains many different land use approvals, especially to the west; however, the M-D zoning does not serve as an appropriate buffer from the existing residential to the commercial along both sides of Buffalo Drive. Staff does not support the requested change in zoning.

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.

#### Design Reviews #1 & #2

The overall proposed design of the development is satisfactory to the development standards such as setbacks and landscaping. Parking lot landscaping has been redistributed and provided along the east property line to help mitigate the heat island impact of the large parking areas. A landscape buffer is provided on the north side of the development with no access to Maule Avenue, which may help to mitigate any negative impacts to the multiple family development to the north. However, the one way in and out for truck traffic seems cumbersome and that access (perhaps right turn exit only) to Maule Avenue may provide for better on-site circulation. Since staff cannot support the requested zoning and due to concerns regarding truck circulation, staff does not support these requests.

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

##### Waiver of Development Standards #1a

Staff cannot support the request to reduce the throat depth for the driveways on Miller Lane to 13 feet. Vehicles entering the site using those driveways will encounter parking spaces directly north and south of each driveway, which may result in stacking of vehicles in the right-of-way, causing potential collisions.

##### Waiver of Development Standards #1b

The reduced driveway departure distance for the southern driveway on Miller Lane, coupled with the reduced throat depth, presents an unsafe situation for vehicles on Miller Lane and for those accessing the site. Therefore, staff cannot support this request.

##### Design Review #3

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

#### **Staff Recommendation**

Denial.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;



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

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 40 feet to the back of curb for Badura Avenue, 25 feet to the back of curb for Miller Lane, 25 feet to the back of curb for Maule Avenue, and associated spandrels;
- 30 days to coordinate with Public Works - Design Division for the Badura Avenue improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for all streets and as necessary for the Badura Avenue improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for all streets and as necessary for the Badura Avenue improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking

0057-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PROJECT BAM LAND, LLC  
**CONTACT:** PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input 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 #)	<b>STAFF</b>  APP. NUMBER: <u>20-22-00079</u> DATE FILED: <u>12/13/22</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1/10/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/8/23</u> FEE: <u>2025</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Project BAM Land, LLC</u> ADDRESS: <u>4625 West Nevso Drive, Suite 2</u> CITY: <u>Las Vegas,</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>pdunning@panattoni.com</u>
	<b>APPLICANT</b>  NAME: <u>Project BAM Land, LLC</u> ADDRESS: <u>4625 West Nevso Drive, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>pdunning@panattoni.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-04-701-007

PROPERTY ADDRESS and/or CROSS STREETS: NEC of Miller Lane and Badura Avenue

PROJECT DESCRIPTION: Conforming Zone change and Design Review for a proposed Warehouse with waivers

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

Property Owner (Signature)\* [Signature]      Property Owner (Print) Doug Roberts

STATE OF Nevada  
 COUNTY OF Washoe  
 SUBSCRIBED AND SWORN BEFORE ME ON April 23, 2022 (DATE)  
 By Doug Roberts  
 NOTARY PUBLIC: Jillie Morrison

JILLIE MORRISON  
 Notary Public - State of Nevada  
 Appointment Recorded in Washoe County  
 No 16-4407-2 - Expires December 2, 2024

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

**KAEMPFER  
CROWELL**

**KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**

ATTORNEYS AT LAW  
LAS VEGAS OFFICE

BOB GRONAUER  
[rg@kcnvlaw.com](mailto:rg@kcnvlaw.com)  
702.792-7000

November 28, 2022

**VIA ONLINE SUBMITTAL**

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

**Re: Justification Letter – Conforming Zone Change and Design Review for Distribution Center  
Badura and Miller  
APN: 176-04-701-007**

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 5 acres at the northeast corner of Badura Avenue and Miller Lane (the "Site"). The Property is more particularly described as Assessor's Parcel Number 176-04-701-007. The Applicant is requesting a conforming zone change from R-E to M-D, a design review and waivers of development standards to allow for a distribution center.

The Site fronts onto Miller Lane and is surrounded by multi-family residential to the north, south and west, and vacant C-2 property to the West. The Site is located just west of Buffalo Drive and less than ½ a mile from the 215 Beltway, providing easy freeway access for future tenants.

**Conforming Zone Change:**

The Site is zoned R-E and master planned Business Employment (BE). M-D is an allowable zoning designation under the BE master plan and therefore compatible with the intent of the Site. The distribution center use will provide an appropriate transition and buffer from Buffalo Drive and the previously approved C-2 development to the east. Rather than building additional commercial, which would not be viable without frontage onto Buffalo Drive, bringing in a use to provide the needed warehouse square footage that has been highly sought after throughout the Las Vegas Valley, will not only help Clark County as a whole, but will help many residents searching for jobs in the area.

The distribution center building will not negatively impact the existing uses or surrounding property owners. The proposed M-D zoning designation will bring less traffic to the Site than other potential uses, such as additional multi-family or commercial, therefore providing a less intense overall use to the community.

LAS VEGAS OFFICE  
8345 West Sunset Road  
Suite 250  
Las Vegas, NV 89113  
Tel 702 792 7000  
Fax 702 798 7181

RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel 775 852 3900  
Fax 775 852 3982

CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel 775 884 8300  
Fax 775 882 0257

PLANNER  
COPY

20-22-0679

12

02/08/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

MILLER LN/MAULE AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-22-0680-PROJECT BAM LAND LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Miller Lane and Buffalo Drive, and between Maule Avenue and Badura Avenue within Spring Valley (description on file). MN/lm/ja (For possible action)

RELATED INFORMATION:

**APN:**  
176-04-701-007

**LAND USE PLAN:**  
SPRING VALLEY - BUSINESS EMPLOYMENT

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

The applicant is proposing to develop the site as a distribution center. The request is to vacate patent easements along the north, east, and west property lines which the applicant indicates are not necessary for the development of the area.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Business Employment	R-4	Multiple family residential
East	Business Employment	C-2	Commercial development
West	Business Employment	R-3	Multiple family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-22-0679	A zone change to reclassify 14 acres to M-D zoning for a distribution center is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

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

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- Right-of-way dedication to include 40 feet to the back of curb for Badura Avenue, 25 feet to the back of curb for Miller Lane, 25 feet to the back of curb for Maule Avenue, and associated spandrels;
- 30 days to coordinate with Public Works - Design Division for the Badura Avenue improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for all streets and as necessary for the Badura Avenue improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for all streets and as necessary for the Badura Avenue improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PROJECT BAM LAND, LLC

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







# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

12

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0680</u>	DATE FILED: <u>12/13/22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC DATE: <u>1/10/23</u>
		TAB/CAC: <u>SPRING VALLEY</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>2/8/2023</u>	
		FEE: <u>\$875-</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Project BAM Land, LLC</u> ADDRESS: <u>4625 West Nevso Drive, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>pdunning@panattoni.com</u>
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<b>APPLICANT</b>	NAME: <u>Project BAM Land, LLC</u> ADDRESS: <u>4625 West Nevso Drive, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>pdunning@panattoni.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza, Ste 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-04-701-007

PROPERTY ADDRESS and/or CROSS STREETS: NEC of Miller Lane and Badura Avenue

\_\_\_\_\_

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

\_\_\_\_\_

Property Owner (Signature)\* Project BAM Land, LLC  
Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON June 7, 2022 (DATE)  
 By Dwight Roberts  
 NOTARY PUBLIC: Jillie Morrison



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

**KAEMPFER  
CROWELL**

**KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**

ATTORNEYS AT LAW  
LAS VEGAS OFFICE

BOB GRONAUER  
[rg@kcrlaw.com](mailto:rg@kcrlaw.com)  
702 792-7000

November 28, 2022

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Tel: 702 792 7000  
Fax: 702 796 7181

RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775 852 3900  
Fax: 775 852 3982

CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel: 775 884 6300  
Fax: 775 882 0252

**VIA ONLINE SUBMITTAL**

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

PLANNER  
COPY

**Re: Justification Letter – Conforming Zone Change and Design Review for Distribution Center**  
**Badura and Miller**  
**APN: 176-04-701-007**

VS-22-0680

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 5 acres at the northeast corner of Badura Avenue and Miller Lane (the "Site"). The Property is more particularly described as Assessor's Parcel Number 176-04-701-007. The Applicant is requesting a conforming zone change from R-E to M-D, a design review and waivers of development standards to allow for a distribution center.

The Site fronts onto Miller Lane and is surrounded by multi-family residential to the north, south and west, and vacant C-2 property to the West. The Site is located just west of Buffalo Drive and less than ½ a mile from the 215 Beltway, providing easy freeway access for future tenants.

**Conforming Zone Change:**

The Site is zoned R-E and master planned Business Employment (BE). M-D is an allowable zoning designation under the BE master plan and therefore compatible with the intent of the Site. The distribution center use will provide an appropriate transition and buffer from Buffalo Drive and the previously approved C-2 development to the east. Rather than building additional commercial, which would not be viable without frontage onto Buffalo Drive, bringing in a use to provide the needed warehouse square footage that has been highly sought after throughout the Las Vegas Valley, will not only help Clark County as a whole, but will help many residents searching for jobs in the area.

The distribution center building will not negatively impact the existing uses or surrounding property owners. The proposed M-D zoning designation will bring less traffic to the Site than other potential uses, such as additional multi-family or commercial, therefore providing a less intense overall use to the community.

**Design Review:**

The Applicant is proposing a single building for a total of 76,700 square feet. The proposed building has a maximum height of 42-feet where 50-feet is permitted in M-D zoning districts and will be comprised of painted metal panels, architectural enhancements, a flat roofline, and large decorative windows.

The building is designed to have the office parking for customers along the western portion of the Site, away from the loading docks. The loading docks are located on the eastern side of the Site, away from the existing multi-family.

Access to the Site is proposed from two driveways along Miller Lane for the office employees and customers. There is no truck access through the parking on the west side of the building. Access for trucks will be from a single driveway along Badura Avenue. As shown on the site plan, there is adequate on-site movement space to allow trucks to back into the docks while still providing sufficient parking spaces for warehouse employees to avoid conflicts. There is also sufficient space to allow for trucks to back out of the loading docks to turn around and exit back onto Badura. The Applicant is requesting a throat depth waiver for the driveways on the Site, which is discussed in more detail below.

The Applicant is providing a total of 84 parking spaces where 77 are required. The Applicant is also providing the required landscaping along the perimeter per Code requirements to ensure shade and visual relief. The Applicant is requesting a design review for alternative landscaping due to the 13 parking spaces along Miller without a landscape finger pursuant to Section 30.64-14. However, the Applicant is providing the overall landscaping required throughout the Site as a whole to compensate for this request.

The proposed project meets the CMA standards per Section 30.48. Those requirements are as follows: 1) site design and orientation; 2) architectural standards and guidelines; 3) perimeter buffering, landscaping and screening; 4) site lighting; and 5) signage.

- 1) The Site meets the design and orientation requirements by providing varying building and parking lot setbacks. No outside storage is requested.
- 2) The building includes desert tones to match the surrounding landscape and adjacent developments. The overall scale of the building is less intense than the surrounding uses to ensure appropriate transition.
- 3) The building materials used are those that are required per Code. The building also does not exceed the 100-foot length without a break in the building façade.
- 4) All fencing and landscaping meets Code to ensure the appropriate screening is provided throughout the Site. The loading docks are completely screened from the right of way with landscaping and the building itself.

- 5) All lighting meets Code and will be shielded from adjacent properties.
- 6) Signage is not part of this application.

Finally, the Applicant is requesting a design review for increased finished grade of up to 7.5-feet where 36-inches is permitted. Due to the existing topography on this Site, and the significant slope of the Site, fill is required to appropriately develop the Site.

**Waivers of Development Standards**

The Applicant is requesting a waiver to allow for reduced throat depths to 13.2-feet where 25-feet is required along Miller Lane. The driveways along Miller are reserved for car parking only and will not conflict with truck traffic. Additionally, the Applicant has provided two driveways along Miller to assist with better circulation. Miller is not a through street to both the north and south, and therefore will not have heavy traffic. As discussed above, the Applicant has provided a separate driveway along Badura Avenue to ensure the truck and car traffic remain separate and do not cause any onsite circulation issues or stacking on the right-of-ways.

The Applicant is also requesting to reduce the departure distance along Miller Lane to 149-feet where 190-feet is required. The Site is not located along a major arterial and therefore will not negatively impact passing traffic. Additionally, as noted above, Miller is not a through street to the north or south and will not create a negative impact as there is little to no through traffic on Miller.

**Vacation**

The Applicant is also requesting to vacate the existing patent easements located on the Site as they are no longer needed for development. The required vacation documents are included with the submittal.

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

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO



Bob Groaner

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Bob Gronauer

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02/08/23 BCC AGENDA SHEET

CONVENIENCE STORE W/GASOLINE STATION  
(TITLE 30)

BUFFALO DR/RUSSELL RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0683-TIEN KUI-MU & YUEH YIN & TIEN TONY:**

**ZONE CHANGE** to reclassify 1.8 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

**USE PERMITS** for the following: 1) convenience store; and 2) gasoline station.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) cross access; 2) allow modified driveway design standards; and 3) allow a non-standard bus turnout.

**DESIGN REVIEW** for a proposed convenience store with gasoline pumps.

Generally located on the east side of Buffalo Drive and the south side of Russell Road within Spring Valley (description on file). MN/rk/ja (For possible action)

**RELATED INFORMATION:**

**APN:**

163-34-101-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive the requirement for cross access, and shared parking with the future properties to the east and south where required per Table 30.56-2.
2.
  - a. Reduce the departure distance from an intersection to a driveway along Russell Road to 180 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 5% reduction).
  - b. Reduce throat depth for the driveway along Russell Road to a minimum of 19 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 24% reduction).
3. Allow an alternative non-standard bus stop/turn lane configuration.

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.8
- Project Type: Convenience store with gasoline pumps
- Number of Stories: 1

- Building Height (feet): Up to 21.5
- Square Feet: 5,200 (convenience store)/5,547 (gasoline canopy)
- Parking Required/Provided: 21/24

#### Site Plans

The plans depict a proposed development consisting of a convenience store and gas station. The convenience store faces north toward Russell Road with the gasoline canopy/pumps located in front of the building near the central portion of the property. To the east and south are undeveloped properties that are planned for neighborhood commercial uses. The convenience store building is set back 33 feet from the south property line, 93 feet from the east property line, and 76 feet from the west property line. No future cross access is shown with the undeveloped properties to the east and south. A total of 24 parking spaces are distributed throughout the site. Access to the proposed development is from Russell Road and Buffalo Drive. The driveway along Russell Road necessitates the waivers of development standards for modified driveway design standards and driveway distances from the intersection.

#### Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Buffalo Drive and Russell Road. The sidewalk along Russell Road becomes attached as it moves toward the east due to a planned bus turnout. Along Buffalo Drive, all the landscaping will be planted on the east side of the sidewalk since the west side of the sidewalk is in the sight visibility zone. A 10 foot to 20 foot wide landscape area is shown along the east and south property lines next to the undeveloped property. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint.

#### Elevations

The building is 1 story, up to 21.5 feet high, consisting of painted stucco walls with decorative metal trim, stone veneer accents, metal awnings, and glass storefront windows. The height of the building varies slightly from 18 feet to 20 feet and has been designed to break-up the roofline and enhance the overall look of the building. The gasoline canopy is 19 feet high and will also utilize the same colors and textures to unify the design of the site.

#### Floor Plans

The convenience store has an area of 5,200 square feet consisting of customer service areas, sales floor, gaming area, storage areas, restrooms, and an office.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates the zoning request and use conforms to the planned land use of Neighborhood Commercial in the Master Plan. The project will serve the existing residential uses in the area. There are no planned residential uses immediately adjacent to this site and the convenience store and gasoline pumps, and complies with the 200 foot separation from the residential development to the north across Russell Road. According to the applicant, cross access will not be provided along the east and south property lines because future uses on the



adjacent sites are unknown and may be incompatible with this use. Furthermore, the Regional Transportation Commission required a bus stop with a deceleration and turn lane along Russell Road. The width of the lot along Russell Road is approximately 300 feet; therefore, does not have enough frontage to meet the required standards of Uniform Standard Drawing 234.4.

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0684	A request to vacate patent easements on the site is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change and Design Review

The request to C-1 zoning conforms to the Spring Valley Land Use Plan which designates the site as Commercial Neighborhood. Staff finds that the proposed zoning is consistent and compatible with the existing and approved land uses in the general area. The site is located along Buffalo Drive and Russell Road where commercial zoning is appropriate. The zone change is consistent with the Master Plan, which encourages commercial development integrated in appropriate locations throughout the community; therefore, staff can support the design review and zone change requests.

Use Permit

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

Staff finds that the proposed use will not have an undue adverse effect on adjacent properties and the character of the neighborhood. The surrounding area is predominantly planned for future commercial uses, with the nearest residential development being over 200 feet away on the north side of Russell Road. There is a pending application for a nonconforming zone change for the adjacent property on the east and the south of the subject parcel for a possible residential development. The outcome of the application is unknown at this time. Therefore, staff can support this portion of the request.

### Waivers of Development Standards

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

### Waiver of Development Standards #1

Staff finds the project should be designed to transition to the adjacent undeveloped parcel to the west. The purpose of providing cross access with adjacent lots is to minimize curb cuts, promote public safety, efficient on-site circulation, and shared parking. Also, the Master Plan states that land uses that are complementary and are of similar scale and intensity should provide appropriate connectivity and not be segregated. However, as mentioned above, there is a pending application for a nonconforming zone change for the adjacent property on the east and the south of the subject parcel for a possible residential development. If the request for residential development is approved, staff does not have any concerns with the lack of cross access with the adjacent lot since these two projects will no longer be similar in scale and intensity. Therefore, staff can support this portion of the request.

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

#### Waivers of Development Standards #2 & #3

Staff has no objection to the reduced departure distance since the driveway on Russell Road has been placed as far east as the site will allow. The site's frontage on Russell Road is also not long enough to accommodate a standard combined bus turnout/right turn lane, so staff does not object to the slight modification being proposed. Finally, the site design provides additional room on-site before drivers encounter conflicts and the dedicated bus turnout/right turn lane will assist with traffic control on Russell Road, mitigating any issues caused by the reduction in the throat depth.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for

conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of the approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination bus turnout/right turn lane on Russell Road including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that the applicant must coordinate with Public Works - Development Review Division regarding the purchase of any vacated right-of-way.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking 0066-2022, to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: HENRY MORADI**

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





LAW OFFICE

*Brown, Brown & Premsrirut*

20-22-0683

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EMAIL: jbrown@brownlawiv.com

December 8, 2022

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

**RE: Justification Letter – Revision 4  
Conforming Zone Change from a R-E Zoning to C-1 Zoning  
Special Use Permits for a Convenience Store and Gasoline Station; Waivers of  
Development Standards; and Design Reviews for the Convenience store and  
Gasoline Station @ Buffalo Drive and Russell Road.  
Assessors' Parcel Number: 163-34-101-001**

**To Whom It May Concern:**

On behalf of our Client, Henry Moradi, we respectfully submit this application package for a conforming Zone Change application for a proposed request from an R-E zone to a C-1 zone within the CMA Overlay District for a proposed commercial development consisting of a convenience store with a gasoline station. The proposed project is located on the southeast corner of Buffalo Drive and Russell Road on a total of 1.8 acres. The current zoning of the site is Rural Estate (R-E) with a Master Plan designation of Neighborhood Commercial (NC) in the Spring Valley Planning Area.

**Project Description:**

The proposed commercial center will include a 5,200 square foot convenience store and a gasoline station with a 5,547 square foot canopy. Based on the location of the Convenience Store on the southern portion of the parcel the building will comply with the required 200 foot separation for all the adjacent residential developments in the area (north, south, east, and west). A total of 24 parking spaces are provided where 21 spaces are required including one handicap space. Two (2) bicycle spaces are provided as required by Code. No cross access is provided to the east or south property lines because future uses on the adjacent sites may be incompatible.

**Elevations:**

The convenience store is up to 23 feet high to the top of the parapet. The gasoline canopy is up to 21.6 feet high. The convenience store, canopy and the gasoline canopy have a modern contemporary design with materials consisting of stucco with stone veneer trims at the sides and bottoms. The colors are complementary dark brown EIFS finishes with painted red accents along the parapets and trims. The elevation of the convenience store is enhanced by metal awnings painted red as a contrast to the brown color of the buildings and the canopy. The windows and doors consist of dual pane clear glazing with aluminum frames. The materials and colors are

typical for Circle K stores. Since the project is in the CMA overlay, the buildings including the canopy comply with the required design elements of the CMA including but not limited to the following: 10% of the convenience store building is located within 100 feet of the Buffalo Drive frontage and the canopy is within 40 feet of the Buffalo Drive and Russell Road street frontages; the flat horizon rooflines are no longer than 100 feet.

**Floor Plans:**

The plans depict a 5,200 square foot convenience store, a 5,547 square foot fuel canopy.

**Landscaping:**

An up to a 25 foot wide minimum landscaping area with a five (5) foot wide detached sidewalk is depicted along of Buffalo Drive on the west property line. A minimum 28 foot wide up to 45 foot and more landscaping area with a five (5) foot wide detached sidewalk except for the portions adjacent to the bus stop and turn lanes is depicted along Russell Road on the north property line. A minimum 21 foot wide landscaping area is depicted along the south property line and a minimum 11 foot wide up to a 33 foot wide landscape area is depicted along the east property line.

Signage is not a part of this application. Any signage shown on the plans are for reference only and are not a part of this application.

**The following are Applications required for the project:**

**Zone Change:**

A conforming Zone Change from an R-E zone to a C-1 zone for a proposed commercial development to allow a Convenience Store and Gasoline Station.

**Justification:**

The Clark County Master Plan designates the project site as Neighborhood Commercial (NC). The parcels to the immediate east and south property lines are zoned Rural Estates Residential (R-E) and designated Neighborhood Commercial (NC) in the Master Plan. To the north across Russell Road is an R-2 zoned single family residential subdivision, designated MN in the Master Plan. West is an undeveloped parcel zoned R-E and designated NC for neighborhood commercial uses. On the northwest of Buffalo Drive and Russell Road is a partially developed public park in a P-F zone and designated as PU in the Master Plan. The subject site and the parcels to the south, east and west are designated for neighborhood commercial uses, therefore, making this request appropriate and compatible with the planned land uses in the area.

Additionally, the project is a neighborhood serving use for existing R-2 zoned residential developments in the immediate area. The site is located at the intersection of two arterial streets where parcels adjacent are typically designated in the Master Plan as NC to serve the area. The project complies with Goal 5.1 with the accompanying polices 5.1.2 of continuing to develop the

economic base by developing a commercial project that diversifies the uses in area. Goal 6.1, 6.2 and 6.3 which support sustainable development patterns, and more resilient infrastructure in an area that is still under development and is, therefore, in transition. The parcels to the immediate south, east and west are zoned R-E, designated for neighborhood commercial uses and are undeveloped, therefore, the requested for C-1 zoning and project is appropriate and compatible with the area and provides a use to serve the area which is developing as a predominate residential area and needs commercial uses to comply with the sustainability goals and policies of the County.

There are no residential uses to the immediate south, east and west of the site. These parcels are designated NC and undeveloped and are planned for required commercial uses to serve the area. Required public services and infrastructure are either existing or planned for the area indicating that the area is under development and needs parcels that are zoned for commercial uses to provide neighborhood serving uses and employment opportunities for the area. The proposed zoning and uses conform to most Code requirements as well as the adopted plans, goals, and policies. The project complies with specific Goals and pertinent policies for commercial developments including SV-1.5; SV-2.1, SV-2.2 for the Spring Valley Planning Area.

**Special Use Permits:**

- 1. Permit a Convenience Store and a gasoline station.**

**Justification:**

Both the proposed convenience store and gasoline station comply with the 200 feet from all the adjacent residential developments to the north, south, east, and west sites of the site. The parcels to the immediate south and east are currently zoned R-E and designated in the land use plan as Neighborhood Commercial, therefore, the proposed zoning request and uses comply with the land use designation for future land uses on the parcels.

**Waiver of Development Standards:**

- 1) Reduce the departure distance from the intersection of Russel Road and Buffalo Drive to 180 feet where a departure distance of 190 feet is required.**

**Justification:**

The proposed driveway on Russell Road is 180 feet from the intersection is placed as far east as possible from the intersection. The location from the intersection is as far east as possible from the intersection based on the width of the lot. The location of the driveway is at the most optimum point from the intersection. The bus/turn lane provided along the street frontage will mitigate any impacts or conflicts from the intersection to the proposed driveway. This design will ensure that other off-site requirements are met; with enough distance provided from the intersection to proposed driveway. The right-of-way reservation for a turn lane along the east



property line also allows vehicles approaching the intersection to slow down and reduce conflicts with the turning maneuvers from Buffalo Drive onto Russell Road.

**Waivers of Development Standards:**

**2) Reduce the throat depth for the western portion of the driveway on Russell Road to a minimum of 19 feet 7 inches where a minimum throat depth of 25 feet is required.**

**Justification:**

This request is justified and will not create an impact on the adjacent street because two driveways are provided to the site. Additionally, the turn lane and radius of the entry bulb into the site is adequate to allow a turn into the site without allowing vehicles to queue into Russell Road. The design of the site depicts no parking stalls along the entry drive which eliminates direct vehicular conflicts at the entry. No vehicles will be backing out of the parking stalls close to the drive to impede any vehicles entering or leaving the site from Russell Road.

**3) Waive cross access requirements to the southern and eastern property lines.**

**Justification:**

The parcels to the south and east are currently zoned R-E but are designated NC in the Master Plan. There is no certainty at this time as to the uses that will be developed on these adjacent parcels. If the future uses are residential another incompatible use the landscaping provided along the south and east property lines comply with Code requirements and will mitigate any impacts. The parcel to the south is currently zoned R-E and is designated in the Master Plan as NC for a future commercial use which may be incompatible with the proposed uses.

**4) Allow an alternative non-standard design to Uniform Drawing #234.4 (bus stop area, deceleration and turn lane).**

**Justification:**

The Regional Transportation Commission (RTC) required a bus stop with the required deceleration and turn lane along Russell Road. The width of the lot along Russell Road is approximately 300 feet and, therefore, does not have enough frontage to meet the required standards of Uniform Drawing #234.4. RTC reviewed the alternative depicted on the plans and agreed to the alternative non-standard bus stop/turn lane configuration provided.

**Design Review:**

For a convenience store with gasoline station.

**Justification:**

LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

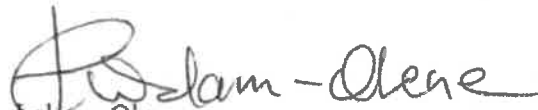
The proposed project is located at the intersection of two arterial streets and the site is adjacent to other parcels that are designated for commercial neighborhood land uses. The project will serve the existing residential uses (roof tops) in the area including those to the north, farther south, east, and west across Buffalo Drive. There are no residential uses to the immediate south, east and west of the site at this time. The design of the project complies with the policies outlined in the Master Plan for the development of commercial projects and projects in the CMA. As proposed the request is appropriate for the area and is compatible with existing and planned land uses in the immediate area which consists primarily of residential developments, therefore, this request is appropriate for and compatible with the area and will provide much needed commercial uses to serve the surrounding area. The development also complies with specific Goals and pertinent policies for commercial developments including SV-1.5; SV-2.1, SV-2.2 for the Spring Valley Planning Area.

We appreciate your consideration in the review and positive recommendation for the requests.

Please contact me at 702-598-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant

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02/08/23 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

BUFFALO DR/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0684-TIEN KUI-MU & YUEH YIN & TIEN TONY:**

**VACATE AND ABANDON** easements of interest to Clark County located between Buffalo Drive and Tioga Way, and between Russell Road and Oquendo Road; and a portion of a right-of-way being Buffalo Drive located between Russell Road and Oquendo Road within Spring Valley (description on file). MN/rk/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-34-101-001

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of 33 foot wide patent easements located on the east and south perimeter of the subject parcel. Additionally, the plans show the vacation and abandonment of a 5 foot wide portion of the east side of Buffalo Drive to accommodate a detached sidewalk in conjunction with a commercial development.

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-22-0683	A zone change to reclassify this site to C-1 zoning for a convenience store with a gasoline station is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

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

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination bus turnout/right turn lane on Russell Road including passenger loading/shelter areas in accordance with RTC standards.
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: HENRY MORADI**

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





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# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0684</u>	DATE FILED: <u>12-13-22</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>1-10-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs)		TAB/CAC: <u>Spring Valley</u>	
<input checked="" type="checkbox"/> EASEMENT(S)		PC MEETING DATE: <u>                    </u>	<u>C-1</u>
<input checked="" type="checkbox"/> RIGHT(S)-OF-WAY		BCC MEETING DATE: <u>2-8-23</u>	<u>Neighborhood Commercial</u>
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		FEE: <u>\$875.00</u>	<u>MN</u>

<b>PROPERTY OWNER</b>	NAME: <u>Kui Mu Tien &amp; Yueh Yin Tien &amp; Tony Tien</u>
	ADDRESS: <u>9428 Whittier Ct</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>


<b>APPLICANT</b>	NAME: <u>Henry Moradi</u>
	ADDRESS: <u>14 Sugarberry Lane</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702731-9645</u> CELL: <u>N/A</u>
	E-MAIL: <u>henry_advance@yahoo.com</u> REF CONTACT ID #: <u>N/A</u>

<b>CORRESPONDENT</b>	NAME: <u>Jay Brown/Lebene Ohene</u>
	ADDRESS: <u>520 South Fourth Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>
	TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u>
	E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 163-34-101-001

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo Drive and Russell Road


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.


Kui Mu Tien & Yueh Yin Tien & Tony Tien  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF NEVADA Clark  
 COUNTY OF

SUBSCRIBED AND SWORN BEFORE ME ON July 20, 2022 (DATE)  
 By David Kui Mu Tien

NOTARY PUBLIC: Kim Muhammad



KIM MUHAMMAD  
 Notary Public - State of Nevada  
 Appointment No. 9952700-1  
 My Appointment Expires 7/18/2026

\*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.



December 8, 2022

VS-22-0684

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

Re: **Buffalo and Russell, Zenith Project No. 221017**  
**Right-of-Way and Patent Easement Vacation Justification Letter**

Dear Sir or Madam:

Zenith Engineering has been retained by A & A LLC to assist in filing a vacation application to vacate existing Right-of-Way associated with property located on the southeast corner of Russell Road and Buffalo Drive (Assessor's Parcel Number 163-34-101-001). Currently there exists a dedicated 50-foot right-of-way along Buffalo Drive per Book 20161114, Instrument No. 0002302 of Official Records. Additionally, there exists a Patent Easement per Book 210, Instrument No. 170945 of Official Records.

This project is proposing a detached sidewalk on Buffalo Drive. We respectfully request to vacate 5' (five feet) of right-of-way on Buffalo Drive in accordance with detached sidewalks.

Additionally, we respectfully request to vacate the existing patent easement that is no longer needed in order to further develop the property.

Please feel free to contact me with any questions or comments at (702) 835-3496. Thank you.

Sincerely,

ZENITH ENGINEERING

A handwritten signature in black ink, appearing to read 'Julie Izzolo', is written over a horizontal line.

Julie Izzolo, PE  
Principal