



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

February 28, 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, Chair  
 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.

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

- III. Approval of Minutes for February 14, 2023. (For possible action)
- IV. Approval of the Agenda for February 28, 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. **TM-22-500233-LTF REAL ESTATE COMPANY, INC.:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision and common lots on 15.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Sunset Road and Durango Drive within Spring Valley. MN/al/syp (For possible action) **03/07/23 PC**
  - 2. **PA-23-700004-AXIOM 3, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Business Employment (BE) to Urban Neighborhood (UN) on 4.5 acres. Generally located on the southwest corner of Montessori Street and Wagon Trail Avenue within Spring Valley. MN/gtb (For possible action) **03/21/23 PC**
  - 3. **ZC-23-0042-AXIOM 3 LLC:**  
**ZONE CHANGE** to reclassify 4.5 acres from a C-2 (General Commercial) (AE-60) Zone to an R-5 (Apartment Residential) (AE-60) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase building height; **2)** reduce building separation; and **3)** allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; **2)** off-site parking; and **3)** multiple family development in the CMA Design Overlay District. Generally located on the southwest corner of Montessori Street (alignment) and Wagon Trail Avenue (alignment) within Spring Valley (description on file). MN/md/syp (For possible action) **03/21/23 PC**
  - 4. **UC-22-0696-MATRAVERS FAMILY TRUST ETAL & MATRAVERS, PETER TRS:**  
**USE PERMIT** for personal services (beauty salon) within an existing commercial office complex on a portion of 2.5 acres in a C-P Zone. Generally located on the west side of Jones Boulevard and the south side of University Avenue within Spring Valley. MN/bb/syp (For possible action) **03/21/23 PC**

5. **UC-23-0014-WELL DONE, LLC:**  
**USE PERMITS** for the following: 1) outside dining in conjunction with an existing restaurant; and 2) eliminate pedestrian access.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate setbacks; 2) alternative street landscaping; 3) waive parking lot trees; and 4) allow non-standard improvements in the right-of-way.  
**DESIGN REVIEW** for a proposed addition and outside dining and drinking area to an existing restaurant on 1.0 acre in a C-1 (Local Business) Zone. Generally located on the south side of Sahara Avenue, 100 feet west of Cimarron Road within Spring Valley. RM/lm/syp (For possible action) **03/21/23 PC**
  
6. **UC-23-0043-LAS VEGAS II MINI U STORAGE, LLC:**  
**USE PERMIT** for off-highway vehicle, recreational vehicle, and watercraft storage.  
**DESIGN REVIEW** for a proposed mini-warehouse building in conjunction with an existing mini-storage facility on 3.5 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Viking Road and Buffalo Drive within Spring Valley. JJ/sd/syp (For possible action) **03/21/23 PC**
  
7. **VS-23-0012-REMINGTON SUNSET, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Post Road and Sunset Road, and between Tenaya Way and Montessori Street (alignment) within Spring Valley (description on file). MN/gc/syp (For possible action) **03/21/23 PC**
  
8. **DR-23-0040-SDP DEVELOPMENT, LLC:**  
**DESIGN REVIEWS** for the following: 1) restaurant; and 2) parking lot landscaping in conjunction with a previously approved shopping center on 4.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/lm/syp (For possible action) **03/22/23 BCC**
  
9. **WS-23-0038-SDP DEVELOPMENT, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase freestanding sign height.  
**DESIGN REVIEW** for proposed signage in conjunction with a retail center on 4.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/lm/syp (For possible action) **03/22/23 BCC**
  
10. **DR-23-0041-CITY LIGHT CHURCH INC:**  
**DESIGN REVIEW** for finished grade in conjunction with an approved place of worship on 4.8 acres in a C-P (Office and Professional) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 900 feet west of Lindell Road within Spring Valley. MN/bb/syp (For possible action) **03/22/23 BCC**

11. **ET-23-400009 (NZC-19-0886)-TROP GC APTS, LLC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following 1) increase building height; and 2) reduce throat depth.  
**DESIGN REVIEW** for a multiple family residential development. Generally located on the south side of Tropicana Avenue, 300 feet east of Grand Canyon Drive within Spring Valley (description on file). JJ/tpd/syp (For possible action) **03/22/23 BCC**
  
12. **VS-23-0033-GANESH SHIVA LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Quail Avenue and Russell Road, and between Mann Street and Torrey Pines Drive within Spring Valley (description on file). MN/rk/syp (For possible action) **03/22/23 BCC**
  
13. **UC-23-0032-GANESH SHIVA LLC:**  
**USE PERMIT** for a recreational (tennis) facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive full off-site improvements (curb return driveway, gutter, sidewalk, and streetlights); and 2) to allow modified driveway design.  
**DESIGN REVIEW** for a proposed tennis complex on 2.5 acres in an R-E (Rural Estates Residential) (AE-60) Zone. Generally located on the west side of Mann Street and the north side of Quail Avenue within Spring Valley. MN/rk/syp (For possible action) **03/22/23 BCC**
  
14. **VS-23-0037-DESERT RV & BOAT STORAGE, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Quail Avenue and Oquendo Road, and between Rainbow Boulevard and Santa Margarita Street (alignment) within Spring Valley (description on file). MN/gc/syp (For possible action) **03/22/23 BCC**
  
15. **UC-23-0036-DESERT RV & BOAT STORAGE, LLC:**  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) reduce driveway approach distance.  
**DESIGN REVIEWS** for the following: 1) mini-warehouse facility; 2) alternative parking lot landscaping; and 3) finished grade on 2.5 acres in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southwest corner of Quail Avenue and Santa Margarita Street (alignment) within Spring Valley. MN/gc/syp (For possible action) **03/22/23 BCC**

VII. General Business

1. Review the Spring Valley Town Advisory Board bylaws (for discussion only).

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No 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: March 14, 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>





# Spring Valley Town Advisory Board

February 14, 2023

## MINUTES

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Board Members:	John Getter, Chair <b>PRESENT</b> Dale Devitt <b>PRESENT</b> Randal Okamura <b>PRESENT</b>	Brian A. Morris <b>PRESENT</b> Juana Leja Jordan <b>EXCUSED</b>
Secretary:	Carmen Hayes, 702 371-7991, <a href="mailto:chayes70@yahoo.com">chayes70@yahoo.com</a> <b>PRESENT</b>	
County Liaison:	Mike Shannon 702-455-8338 <a href="mailto:mds@clarkcountynv.gov">mds@clarkcountynv.gov</a> <b>PRESENT</b>	

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

**John Getter called the meeting to order at 6:00pm.**

### II. Public Comment

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

- **None**

### III. Approval of **January 31, 2023** Minutes (For possible action)

Motion by: Brian Morris

Action: **APPROVE** Minutes as published

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

### IV. Approval of Agenda for **February 14, 2023** and Hold, Combine or Delete Any Items (For possible action)

Motion by: Randal Okamura

Action: **APPROVE** as amended

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

### V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events.  
(for discussion)

- **None**

VI. Planning & Zoning

1. **ET-23-400002 (ZC-19-0777)-USA:**  
**WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME** to reduce departure distance on Tee Pee Lane.  
**DESIGN REVIEW** for a park on 10.0 acres in a P-F (Public Facility) zone. Generally located on the southwest corner of Patrick Lane and Tee Pee Lane within Spring Valley (description on file). JJ/jm/syp (For possible action) **03/08/23 BCC**

Motion by: Dale Devitt  
Action: **APPROVE**  
Vote: 4-0/Unanimous

2. **ET-23-400004 (NZC-18-0813)-MKAT CAPITAL GROUP, LLC:**  
**HOLDOVER ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-P (Office and Professional) (AE-60) Zone in the CMA Design Overlay District.  
**USE PERMIT** for a proposed major training facility.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design standards.  
**DESIGN REVIEW** for a major training facility and office complex. Generally located on the east side of Santa Margarita Street, 300 feet south of Patrick Lane within Spring Valley (description on file). MN/dd/syp (For possible action) **03/08/23 BCC**

Motion by: Randal Okamura  
Action: **APPROVE** with staff conditions  
Vote: 5-0/Unanimous

VII. General Business

- None

VIII. Comments by the General Public-

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

- None

IX. Next Meeting Date February 28, 2023.

X. Adjournment

Motion by: John Getter  
Action: **ADJOURN** meeting at 6:07 p.m.  
Motion **PASSED** (4-0) /Unanimous



03/07/23 PC AGENDA SHEET

LIFE TIME - LAS VEGAS  
(TITLE 30)

SUNSET RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500233-LTF REAL ESTATE COMPANY, INC.:**

**TENTATIVE MAP** consisting of a 1 lot commercial subdivision and common lots on 15.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Sunset Road and Durango Drive within Spring Valley. MN/a/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-04-101-025; 176-04-101-026

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8555 W. Sunset Road
- Site Acreage: 15.2
- Number of Lots: 1
- Minimum/Maximum Lot Size: 15.2 (acres)
- Project Type: 1 lot commercial subdivision

The site has been approved for a health club with accessory commercial uses. The plans depict a 1 lot commercial subdivision on 15.2 acres. Access to the site is provided by driveways on Durango Drive to the west, Sunset Road to the north, and Butler Street and Pitching Avenue to the east.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-22-400122 (ZC-19-0892)	Second extension of time for a health club	Approved by BCC	January 2023
ET-22-400114 (VS-20-0075)	First extension of time to vacate and abandon a portion of right-of-way	Approved by BCC	December 2022
ET-21-400184 (VS-19-0817)	First extension of time to vacate and abandon easements	Approved by PC	February 2022

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-21-900797 (ZC-19-0892)	First extension of time for a health club	Approved by ZA	December 2021
VS-20-0075	Vacated and abandoned a portion of right-of-way	Approved by ZA	March 2020
ZC-19-0892	Reclassified to C-2 zoning with a design review and waivers for a health club	Approved by BCC	December 2019
VS-19-0817	Vacated and abandoned easements	Approved by BCC	December 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Convenience store, gasoline station, & office buildings
South	Corridor Mixed-Use	R-E	CC 215
East	Corridor Mixed-Use	C-1 & C-2	Office buildings
West	Entertainment Mixed-Use	C-2	Large scale retail business (IKEA)

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**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway Frontage improvement project.

**Current Planning Division - Addressing**

- No comment.

**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 #0411-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TRAVER JONES

**CONTACT:** TRAVER JONES, PHOENIX, 7740 N. 16TH STREET, SUITE 300, PHOENIX, AZ 85016





# AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: TM-22-500233

Property Owner or Subdivision Name: Life Time - Las Vegas

Public Hearing: Yes  No

Staff Report already created: Yes  No

Delete this application from the: **TAB/CAC** 2/14/2023 **PC** \_\_\_\_\_ **BCC** \_\_\_\_\_

Add this application to the: **TAB/CAC** 2/28/2023 **PC** \_\_\_\_\_ **BCC** \_\_\_\_\_

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

- Held no date specific
  - Withdrawn
  - No change to meeting(s) 3/7/2023 PC
  - 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: Tentative map was set for the wrong TB meeting date, change to the correct date

Change initiated by: AI Date: 1/26/2023

Change authorized by: MND Date: 1/26/2023

Change processed by: ds Date: 1/26/2023

Follow up assigned to: \_\_\_\_\_ Instructions: \_\_\_\_\_

Parcel Number(s): 176-04-101-025 & 026

Town Board(s): Spring Valley



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03/21/23 PC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT  
(TITLE 30)

MONTESSOURI ST/WAGON TRAIL AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-23-70004-AXIOM 3, LLC:

**PLAN AMENDMENT** to redesignate the existing land use category from Business Employment (BE) to Urban Neighborhood (UN) on 4.5 acres.

Generally located on the southwest corner of Montessori Street and Wagon Trail Avenue within Spring Valley. MN/gtb (For possible action)

**RELATED INFORMATION:**

**APN:**

176-03-511-003

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4.5
- Project Type: Multiple family residential

**Applicant's Justification**

The applicant states the site is planned for Business Employment which contemplates commercial and industrial development. The applicant states that a commercial use on the site is less desirable because the site is several hundred feet south of Sunset Road and located behind a developed office building. The applicant states that because the site is proximate to developed commercial uses on the northwest, northeast, and southeast corners, a multiple family use is compatible. The applicant's justification includes a description of nearby uses including existing multiple family and employment opportunities in existing office and warehouse buildings. Further, the applicant contends that the proposed density and residential use is appropriate for the area because the Master Plan encourages the concentration of higher density housing near major employment areas and other services.

The applicant cites the following Master Plan Policies to support their justification: 1.1.2, 1.3.1, SV-1.1, and SV-1.3.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-22-0576	Increased freestanding sign height	Approved by BCC	December 2022
WS-19-0776	Increased the height of a freestanding sign - expired	Approved by BCC	November 2019
WS-18-0953	Increased building height to 70 feet and increased the length of the roofline without articulation with a design review for office buildings and a parking garage	Approved by BCC	January 2019
WS-0607-08	Reduced separation between 2 freestanding signs with a design review for a comprehensive sign package - expired	Approved by BCC	December 2008
UC-0586-08	Increased building height and a design review for a professional office complex and parking garage - expired	Approved by BCC	July 2008
ZC-0803-07	Reclassified the northern 2.5 acres to C-2 zoning with a design review for an office complex on 5 acres	Approved by BCC	August 2007
ZC-0759-06	Reclassified the middle 1.3 acres to C-2 zoning for a future commercial development	Approved by BCC	July 2006
ZC-2027-97	Reclassified the southern 1.3 acres to C-2 zoning for a convenience store and gasoline station	Approved by BCC	January 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	M-D	Undeveloped
South	Business Employment	C-2	CC 215, office building, & shopping center
West	Business Employment	R-3	Multiple family development

**Related Applications**

Application Number	Request
ZC-23-0042	A zone change to reclassify the site from C-2 to R-5 zoning with waivers of development standards and design reviews is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

The applicant requests a change from Business Employment to Urban Neighborhood. Intended primary land uses in the proposed Urban Neighborhood land use designation include single family



attached and detached homes, duplexes, triplexes, fourplexes, townhomes, and multiple family. The intended density in Urban Neighborhood is greater than 18 dwelling units per acre.

#### Characteristics

- Includes a wide variety of attached and detached housing types on small lots.
- Some Urban Neighborhoods include or have direct access to retail, offices, commercial services, and activity centers.
- Density and building height vary based on location specific character (the highest possible density is not always appropriate).
- Amenity rich with quality pedestrian and bicycle infrastructure and feature robust transit service.

Intended primary land uses in the current Business Employment land use designation include office, distribution centers, warehouse/flex space, technology, and light industrial. Supporting land uses in Business Employment include small scale commercial uses, service commercial, and other similar uses. The intended density in Business Employment varies by use with building heights typically ranging from 1 to 5 stories.

#### Characteristics

- Provides for concentrated areas of employment and ancillary commercial uses.
- Includes opportunities for stand-alone office parks or single user campus facilities.
- Concentrated near airports, major transportation corridors, and railroads.
- Loading docks and other more intensive uses should be sited to minimize impacts on adjacent residential neighborhoods and rights-of-way.
- Pedestrian, bicycle, and transit access varies based on uses and location.

Application WS-18-0953, was approved by the Board of County Commissioners in January 2019 for the existing office building on the project site measuring 80,000 square feet with a maximum height of 70 feet. The existing office building constructed immediately south of the project site, is located on APN 176-03-511-002 which will remain classified as Business Employment in a C-2 zoning district. The parcel containing the existing office building is not a part of this request and will not include any site modifications or alterations.

The project site is near several developed retail and commercial centers, offices, and warehouse buildings which indicate an existing development pattern reflective of the Business Employment land use designation. Changing the Business Employment designation to Urban Neighborhood may negatively affect the potential for light industrial and commercial uses that are encouraged in the surrounding Business Employment designation. Policy SV-1.5 of the Master Plan encourages the development of neighborhood oriented retail, office, and commercial services that allow area residents to meet their daily needs and potentially work within close proximity of their homes. By changing the land use designation from Business Employment to Urban Neighborhood it would reduce the potential for continued growth of office, technology, and light industrial uses that could provide jobs to area residents and could also impact the available land for supporting commercial services as intended in the Business Employment designation.

Staff is concerned about the potential precedent that would be created by reclassifying the land use designation of this site to Urban Neighborhood. There does not appear to be existing services that would support this type of high density multiple family residential use. In addition, there is limited space for uses intended in the Business Employment designation, including supporting commercial development, in this area. Policy 5.1.3 of the Master Plan encourages the continued pursuit of new and emerging economic sectors such as technology, manufacturing, engineering, and others. The adjacent parcels to the north and east are planned for industrial uses, which may further have an adverse or detrimental impact on the proposed higher density multiple family residential use. Staff finds the existing land uses in the area are not compatible with the proposed density of this project and the site should remain Business Employment to encourage diverse employment opportunities as encouraged in the Master Plan. Thus, the proposed development in this application is out of character and incompatible with the Business Employment characteristics and related uses envisioned for the area. Staff finds the request for the Urban Neighborhood land use designation is not appropriate for this location. Therefore, staff recommends does not support this request.

#### **Department of Aviation**

As stated in the meeting with the project representative in December 2022, the currently planned land use designation is Business Employment (BE), and current zoning is General Commercial (C-2), which permits many airport compatible uses. The proposed land use designation of Urban Neighborhood (UN) and proposed zoning of Apartment Residential - 50 units per acre (R-5), the most dense residential category, would significantly increase the number of residences impacted by aircraft over-flights. Due to this fact, this request is incompatible with current and future noise levels at this location. APN 176-03-511-003 lies fully within the AE-60 (60-65 DNL) noise contour for Harry Reid International Airport and is subject to continuing and significant aircraft noise and over-flights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade Harry Reid facilities to meet future air traffic demand. Due to these facts, this plan amendment is incompatible with current and future noise levels present at this location. Staff recommends denial.

#### **Staff Recommendation**

Denial. If approved, adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 19, 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.

#### **STAFF ADVISORIES:**

##### **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**

- 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 #0046-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

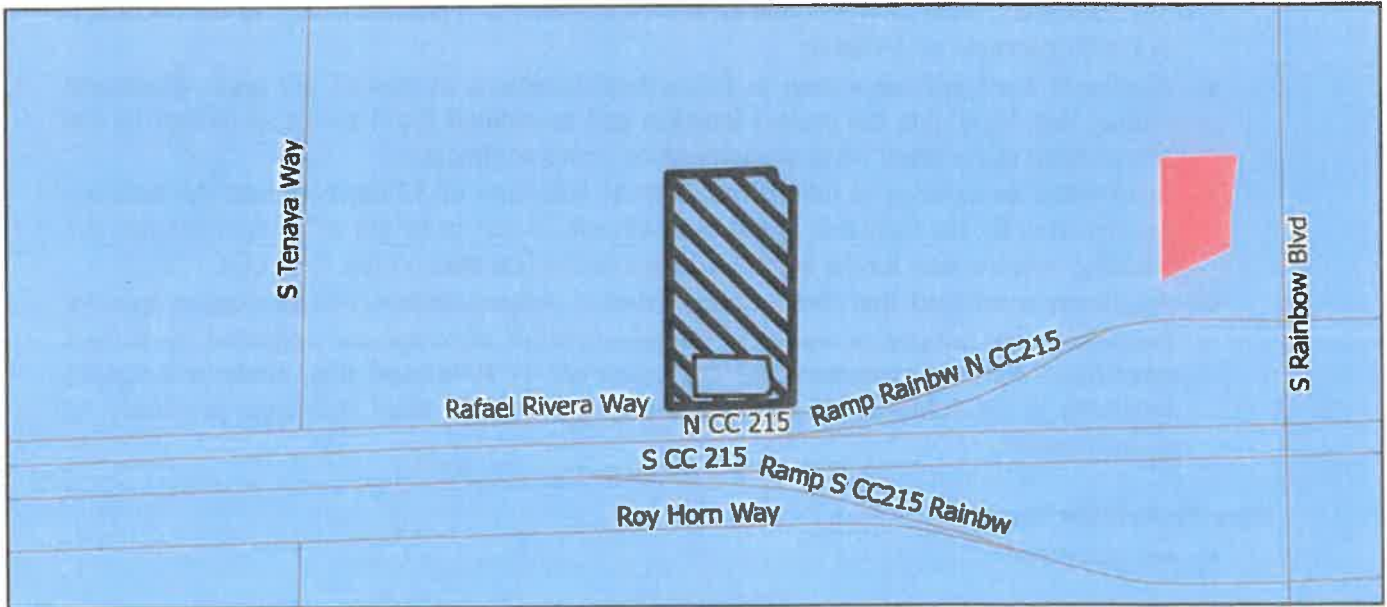
**APPROVALS:**

**PROTEST:**

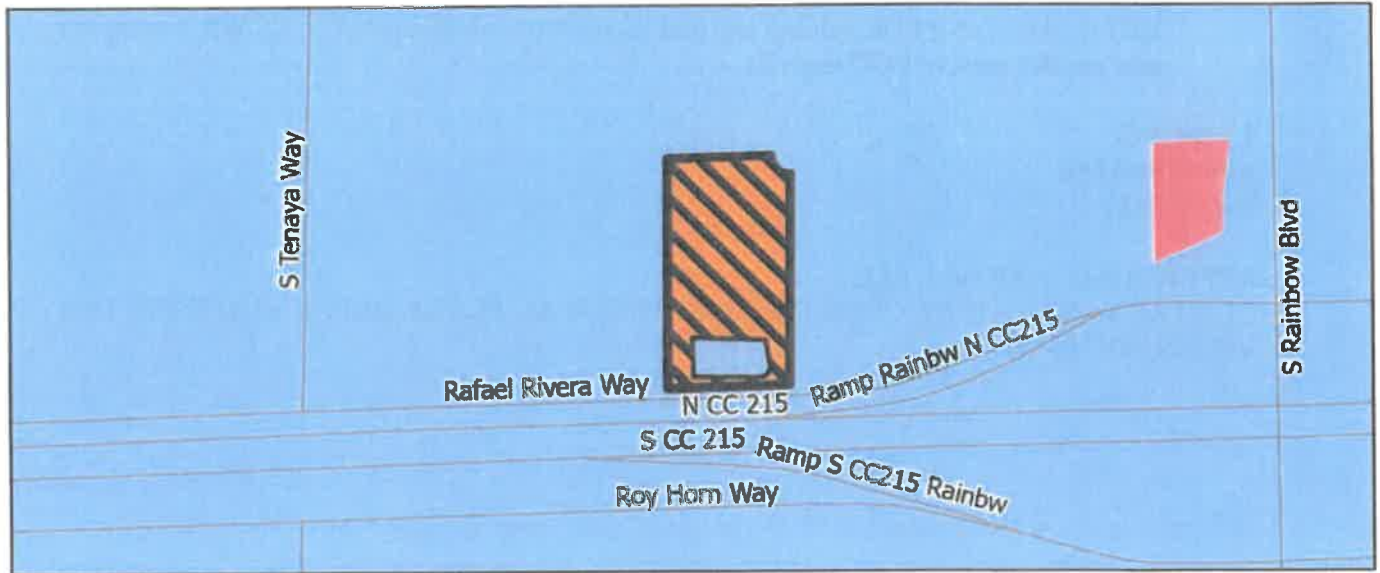
**APPLICANT: AXIOM 3, LLC**

**CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135**

# Planned Land Use Amendment PA-23-700004



**Current**



**Requested**

**Neighborhoods**

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

**Employment**

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

**Commercial and Mixed Use**

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

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)
- Planning Areas
- Requested Area To Change

Spring Valley  
Clark County, Nevada

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

DRAFT



2



# MASTER PLAN AMENDMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	<b>STAFF</b>	APP. NUMBER: <u>PA-23-700004</u> DATE FILED: <u>1/25/23</u>
		PLANNER ASSIGNED: <u>GTR</u> TABICAC: <u>SPRING VALLEY</u> TABICAC MTG DATE: <u>2/28/23</u> PC MEETING DATE: <u>3/21/23 @ 2:00 P.M.</u> @ <u>6:00 P.M.</u> BCC MEETING DATE: <u>4/19/23 @ 9:00 A.M.</u> TRAILS? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> FEE: <u>\$2700<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>ADDM 3, LLC</u>
	ADDRESS: <u>2580 St. Rosa Parkway #125</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

<b>APPLICANT</b>	NAME: <u>Axiom 3, LLC</u>
	ADDRESS: <u>2580 St. Rosa Parkway #125</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

<b>CORRESPONDENT</b>	NAME: <u>Kaempfer Crowell - Tony Celeste</u>
	ADDRESS: <u>1980 Festival Plaza Dr. #850</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u>
	E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 176-03-511-003

CURRENT LAND USE PLAN DESIGNATION: BE

REQUESTED LAND USE PLAN DESIGNATION: UN

PROPERTY ADDRESS and/or CROSS STREETS: Near Rainbow & 215

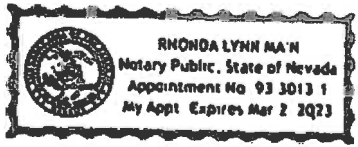
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Miles Sansone      Miles Sansone  
 Property Owner (Signature)      Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 09.5.2022 (DATE)  
 By MILES SANSONE

NOTARY PUBLIC: Rhonda Lynn Ma'n



\*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

ANTHONY J. CELESTE  
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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

December 21, 2022

**VIA UPLOAD**

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

*Re: Justification Letter – Master Plan Amendment from BE to UN  
Axiom 3, LLC - APN: 176-03-511-003*

To Whom It May Concern:

Please be advised our office represents Axiom 3, LLC (the “Applicant”) in the above-referenced matter. The Applicant owns approximately 4.42 acres located between Sunset Road and Raphael Rivera and west of the west side Montessori Street. The property is more particularly described as APN: 176-03-511-003 (the “Site”). The Applicant is requesting a master plan amendment from Business Employment (BE) to Urban Neighborhood (UN). Also submitted concurrent with this request, the Applicant is proposing a zone change to R-5 to develop a multi-family development with associated waivers of development standards.

By way of background, the current office building was located on one parcel that was approximately 5 acres. The parcels have now been split with the office building located on 176-03-511-002 and the proposed master plan amendment for the Site.

**Master Plan Amendment:**

The Land Use Plan designation for the Site is BE and the zoning is C-2. A change of the land use plan to UN request satisfies the requirements set forth in Table 30.12-1(h):

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

The Site is planned for BE which generally contemplates commercial and industrial development. While the Site is zoned C-2, the Site is located behind the developed office building and several hundred feet south of Sunset Road. Therefore, the commercial use is less desirable. Rather, with Site’s proximity to the developed commercial uses on the northwest, northeast, and southeast corners, a multi-family use is compatible. The Site is also adjacent to an existing multi-family development. Adding additional multi-family units within easy walking distance of the commercial shopping centers will provide for an ideal pedestrian connectivity between the two (2) uses. Also, there are existing employment opportunities nearby including

existing office and warehouse buildings. With a mixture of uses, the proposed multi-family project is appropriate for the area.

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

The proposed master plan amendment to UN meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies including specifically the following:

- Policy 1.3.1 encourages integration of grocery stores, restaurants, medical offices, and other daily-needs services as part of or adjacent new neighborhoods to minimize the need for longer-vehicle trips. Here, the proposed multi-family development is near several developed retail commercial shopping centers, several restaurants, banks, and other daily-needs services.

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

The Site is currently zoned C-2 which is the most intense commercial zoning district. Additionally, with a special use permit, a multi-family use with a density up to 18 dwelling units per acre is permitted and for a senior multi-family development the allowed density is up to 22 dwelling units per acre. The Site is located near three intense commercial shopping centers at the Sunset Road and Rainbow Boulevard intersection. Even at the density of UN, this use is no more intense than what is already contemplated for the area. Therefore, the intensity and density of a multi-family development is appropriate for the area.

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

The master plan amendment also meets the more specific Spring Valley Goals and Policies including the following policies:

- Policy SV-1.1 encourages compatible infill development and standard for transitioning from higher intensity uses. Here, the Site is an infill property and the high denser residential multi-family development is not near any less intense uses and densities.
- Policy SV – 1.3 encourages targeted infill development to support more varied housing options – type, density, and price point. Here, the Applicant is proposing a multi-family development.

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

The proposed master plan amendment to UN meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies including specifically the following:

- Policy 1.1.2 encourages a concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services. Here, the Site is near 215, Sunset Road, and Rainbow Boulevard which are major high-frequency transit corridors.

**6. The proposed amendment will not have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. Water and sewer utilities are located near the Site and the Applicant will provide the necessary infrastructure connecting the existing utilities to the Site. The Site is located near Sunset Road and Rainbow Boulevard, both 100-foot right-of-ways, in addition to direct access to Raphael Rivera Way which as serves on the frontage road to the 215. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

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

Therefore, a master plan amendment to UN is appropriate as the Applicant has satisfied the standard for approval. Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

**KAEMPFER CROWELL**



**Anthony J. Celeste**

AJC/amp



MULTIPLE FAMILY DEVELOPMENT  
(TITLE 30)

MONTESSOURI ST/WAGON TRAIL AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0042-AXIOM 3 LLC:**

**ZONE CHANGE** to reclassify 4.5 acres from a C-2 (General Commercial) (AE-60) Zone to an R-5 (Apartment Residential) (AE-60) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) reduce building separation; and 3) allow modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) off-site parking; and 3) multiple family development in the CMA Design Overlay District.

Generally located on the southwest corner of Montessori Street (alignment) and Wagon Trail Avenue (alignment) within Spring Valley (description on file). MN/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-03-511-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 65 feet where a maximum building height of 50 feet is permitted per Table 30.40-3 (a 30% increase).
2. Eliminate building separation to zero feet where a minimum of 10 feet is required between the proposed multiple family building and existing parking garage per Table 30.40-3 (a 100% reduction).
3. Eliminate the throat depth to zero feet for a driveway at the intersection of Montessori Street and Wagon Trail Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4.5
- Number of Units: 131
- Density (du/ac): 29.7

- Project Type: Multiple family development
- Number of Stories: 5
- Building Height (feet): 65
- Open Space Required/Provided: 13,100/14,877
- Parking Required/Provided: 223 (multiple family)/320 (existing office building)/550 (total number of existing parking spaces)

#### History & Request

The applicant is requesting a conforming zone boundary amendment to reclassify 4.5 acres from a C-2 to an R-5 zoning district for a proposed 5 story multiple family building on the subject property. Application PA-23-700004 is the corresponding plan amendment for the subject property requesting to change the planned land use from Business Employment (BE) to Urban Neighborhood (UN). Application WS-18-0953 was approved by the Board of County Commissioners in January 2019 for an existing office building, with a complete glass exterior, measuring 80,000 square feet with a maximum height of 70 feet. The existing office building, constructed immediately south of the project site, is located on APN 176-03-511-002 which will remain classified as a C-2 zoning district. The parcel containing the existing office building is not a part of this request and will not include any site modifications or alterations.

#### Site Plans

The plans depict a 5 story multiple family residential development consisting of 131 dwelling units with a density of 29.7 dwelling units per gross acre. The proposed multiple family building is located on the north portion of the project site and has been designed with the following setbacks: 1) 382 feet from the south property line, adjacent to Rafael Rivera Way; 2) 63.5 feet from the east property line; 3) 54 feet from the north property line; and 4) 65.5 feet from the west property line. Immediately to the south of the proposed multiple family building is an existing 3 story parking garage featuring the following setbacks: 1) 200 feet from the south property line, adjacent to Rafael Rivera Way and 42 feet from the front property line adjacent to the rear of the office building; 2) 74.5 feet from the east property line; 3) 257 feet from the north property line; and 4) 10 feet from the west property line. A waiver of development standards is required to eliminate the building separation between the existing parking garage and the proposed multiple family development. The proposed multiple family development requires 223 parking spaces while the existing office building, located on APN-176-03-511-002, requires 320 parking spaces. A total of 543 parking spaces are required for the proposed multiple family building and the existing office building where 550 parking spaces are provided. However, no parking spaces are located within the boundaries of the parcel containing the office building; therefore, a design review for off-site parking is required as part of this request. Therefore, staff is recommending an "if approved" condition between the office building and multiple family building sites to provide cross access and shared parking through the recording of perpetual cross access, ingress/egress, and shared parking easements or agreements. Access to the project site is granted via an existing driveway located along Rafael Rivera Way. A secondary point of access is granted via an existing driveway located at the intersection of Montessori Street and Wagon Trail Avenue. A waiver of development standards is requested to eliminate throat depth at this intersection.

### Landscaping

The plans depict an existing street landscape area adjacent to Rafael Rivera Way measuring 15 feet in width with an attached 5 foot wide sidewalk. The street landscape area consists of trees, shrubs, and groundcover. The existing landscaping around the perimeter of the site has been designed as follows: 1) 10 foot wide landscape area on the west property line; 2) 5 foot wide landscape area on the north property; and 3) 6 foot wide landscape area on the east property line. All landscape areas consist of trees, shrubs, and groundcover.

The proposed multiple family development requires 13,100 square feet of open space where 14,877 square feet of open space is provided. The open space for the project consists of the following: 1) courtyard and pool is 9,529 square feet; 2) dog park (northwest corner of site) is 1,938 square feet; and 3) fifth level amenity deck is 3,410 square feet. A design review for alternative parking lot landscaping is part of this request. In lieu of providing the required amount of landscape finger islands within the interior of the site, additional trees have been distributed throughout the interior of the development. The development requires a total of 107 trees where 157 trees are distributed throughout the interior and perimeter of the site.

### Elevations

The plans depict a 5 story multiple family building with varying rooflines measuring between 61 feet to 65 feet in height to the top of the parapet wall. A waiver of development standards is required to increase building height up to a maximum of 65 feet. The building materials consist of a stucco exterior with accent wood tiles and an aluminum storefront window system. The parapet walls will screen the rooftop mounted equipment from the right-of-way and public view. The building will be painted with neutral, earth tone colors.

### Floor Plans

The plans depict a 5 story multiple family building featuring 65, one bedroom units, and 66, two bedroom units.

### Signage

New signage is not proposed with this application; however, WS-22-0556 was approved by the Board of County Commissioners in December 2022 for a freestanding sign with a maximum height of 49 feet. The previously approved freestanding sign will be located at the southwest corner of the multiple family project site, between the retaining wall and parking lot. The freestanding sign will be set back 23 feet from the south property line, adjacent to Rafael Rivera Way. Furthermore, the building permit for the freestanding sign was recently approved in February 2023 via BD22-36526.

### Applicant's Justification

The applicant is proposing to build a 65 foot tall building where 50 feet is allowed in an R-5 zoned district. Although the applicant is requesting an increase in height, the proposed request is reasonable and compatible for the following reasons: 1) the site is near the CC 215; 2) the site is located just north of an existing 70 foot tall office building; and 3) just on the north side of Sunset Road is an existing office building close to 100 feet in height. Also, it is important to note the fifth level plate is less than 44 feet in height. The main reason for the increase in height of up to 62 feet is to provide architectural enhancements and shield the mechanical units. Eliminating

the building separation between the existing parking garage and proposed multiple family building will not have any negative impacts for the following reasons: 1) the setback is internal to the site and does not impact neighboring properties; 2) the setback is to an existing garage; 3) the end-caps of the multiple family building meet the garage, 4) the garage structure helps create the courtyard for the pool and amenities area; and 5) the multiple family building's footprint cannot be pushed any farther north as the site needs drive aisle and parking areas north of the multiple family building.

The applicant is requesting to eliminate the throat depth where 150 feet is required. While the applicant is requesting to eliminate the throat depth, the reduction will not cause safety concerns for the following reasons: 1) the development is not gated; therefore, reducing any stacking in the right-of-way; 2) Montessouri Street terminates at the site as it does not go farther south; 3) Wagon Trail Avenue terminates at the site as it does not go any farther west; and 4) at the entrance, the first parking space is about 18 feet from the west side and 32 feet from the south side, respectively, and thereby providing additional queuing and stacking on the site.

The applicant is sharing the existing parking garage and surface parking with the office use. When combining the office use and the multiple family use, a total of 543 parking spaces are required. Here, the total amount of parking provided is 550 spaces. Therefore, the amount of parking provided exceeds the amount of parking required.

The applicant is utilizing the existing surface parking and parking garage on the site. The existing surface parking was part of the approval for the existing office building on the neighboring parcel. The existing surface parking is providing landscape islands just not at the required ratio of every 6 parking spaces. However, the site is exceeding the overall required landscaping; therefore, the applicant is requesting a design review for the alternative parking lot landscaping. The applicant is providing a total of 157 trees where only 107 trees are required.

#### Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0576	Increased freestanding sign height to a maximum of 49 feet in conjunction with a previously approved office building	Approved by BCC	December 2022
WS-19-0776	Increased the height of a freestanding sign - expired	Approved by BCC	November 2019
WS-18-0953	Increased building height to 70 feet and increased the length of the roofline without articulation with a design review for office buildings and a parking garage	Approved by BCC	January 2019
WS-0607-08	Reduced separation between 2 freestanding signs with a design review for a comprehensive sign package - expired	Approved by BCC	December 2008
UC-0586-08	Increased building height and a design review for a professional office complex and parking garage - expired	Approved by BCC	July 2008

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0803-07	Reclassified the northern 2.5 acres to C-2 zoning with a design review for an office complex on 5 acres	Approved by BCC	August 2007
ZC-0759-06	Reclassified the middle 1.3 acres to C-2 zoning for a future commercial development	Approved by BCC	July 2006
ZC-2027-97	Reclassified the southern 1.3 acres to C-2 zoning for a convenience store and gasoline station	Approved by BCC	January 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	M-D	Undeveloped
South	Business Employment	C-2	CC 215, office building, & shopping center
West	Business Employment	R-3	Multiple family development

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

**Related Applications**

Application Number	Request
PA-23-700004	A Master Plan Amendment from Business Employment (BE) to Urban Neighborhood (UN) is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Comprehensive Planning**  
Zone Change

Staff finds the proposed R-5 zoning is not compatible with the existing R-3 zoning district to the west and the existing M-D zoning to the north and east. The Development Code defines “spot zoning” as the reclassification of an isolated parcel of land which is detrimental or incompatible with the uses of the surrounding area, particularly when such an act favors a particular owner. Furthermore, the adjacent parcels to the north and east are zoned for industrial uses, which may have an adverse or detrimental impact on the higher density multiple family residential use. Therefore, staff does not support this 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 recognizes the existing office building to the south was approved up to a maximum height of 70 feet. However, staff finds the proposed building height increase up to 65 feet is inconsistent and incompatible with the adjacent multiple family residential use to the west. The multiple family residential use to the west is 2 stories, while the proposed multiple family building consists of 5 stories. Therefore, staff does not support this request.

#### Waiver of Development Standards #2

Staff finds the request to reduce the separation requirement between the buildings is a self-imposed burden. The multiple family building can be redesigned to meet the required building separation of 10 feet from the existing parking garage. Therefore, staff does not support this request.

#### Design Reviews #1 through #3

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff recognizes the fact the applicant has provided additional trees within the interior and around the perimeter of the site to compensate for the absence of the required landscape finger islands. However, since staff is not supporting the zone change, waivers of development standards, and design review #1, staff recommends denial of the alternative parking lot landscaping request.

The required number of parking spaces is provided for both the proposed multiple family building and the existing office building. However, since the required 543 parking spaces for both buildings will be provided on the same parcel as the multiple family project, a design review for off-site parking is required. Staff is not supporting design reviews #1 and #3; therefore, staff cannot support this request. Staff recommends an "if approved" condition to provide cross access and shared parking through the recording of perpetual cross access, ingress/egress and shared parking easements or agreements between both parcels, APNs 176-03-511-002 (office building) and 176-03-511-003 (multiple family development).

Staff finds a variety of design elements are utilized on all sides of the residential building, including articulating building facades. The proposed multiple family building height is not compatible with the existing multiple family development to the west of the project site, which consists of 2 stories. The reclassification of the project site will create a nonconforming structure, being the previously approved freestanding sign, within a residential zoning district. Freestanding signs are only permitted in residential districts when in conjunction with special uses and boarding stables, limited to a maximum height of 35 feet, and not being located along a freeway. Due to staff's concerns with building height compatibility, eliminating building separation, a nonconforming structure (freestanding sign), in addition to not supporting the zone change, staff recommends denial of the design review.

## **Public Works - Development Review**

### **Waiver of Development Standards #3**

Staff has no objection to the reduction of throat depth as Montessouri Street sees low volumes of traffic as it ends at the site. Additionally, while the provided throat depth is zero feet, there is over 18 feet available before vehicles encounter the first parking space. However, since Planning is recommending denial of the application, staff cannot support this waiver.

### **Department of Aviation**

As stated in the meeting with the project representative in December 2022, the currently planned land use designation is Business Employment (BE), and current zoning is General Commercial (C-2), which permits many airport compatible uses. The proposed land use designation of Urban Neighborhood (UN) and proposed zoning of Apartment Residential - 50 units per acre (R-5), the most dense residential category, would significantly increase the number of residences impacted by aircraft over-flights. Due to this fact, this request is incompatible with current and future noise levels at this location. APN 176-03-511-003 lies fully within the AE-60 (60-65 DNL) noise contour for Harry Reid International Airport and is subject to continuing and significant aircraft noise and over-flights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960's. Clark County intends to continue to upgrade Harry Reid facilities to meet future air traffic demand. Due to these facts, this nonconforming zone change is incompatible with current and future noise levels present at this location. Staff recommends denial.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Record a parcel map prior to the issuance of building permits;
- Provide cross access and shared parking through the recording of perpetual cross access, ingress/egress and shared parking easements or agreements between APNs 176-03-511-002 and 176-03-511-003 prior to the issuance of building permits;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change

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

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway Frontage Road improvement project.

**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**

- 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 #0046-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AXIOM 3, LLC

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



3



# LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE (ZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: 2C-23-0042 DATE FILED: 1/25/23  
 PLANNER ASSIGNED: MND  
 TAB/CAC: SPRING VALLEY TAB/CAC DATE: 2/28/23  
 PC MEETING DATE: 3/21/23 @ 7:00 P.M. @ 6:00 P.M.  
 BCC MEETING DATE: 4/19/23 @ 9:00 A.M.  
 FEE: \$2,200

PROPERTY OWNER

NAME: Axiom 3, LLC  
 ADDRESS: 2580 St. Rose Parkway #125  
 CITY: Henderson STATE: NV ZIP: 89074  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a

APPLICANT

NAME: Axiom 3, LLC  
 ADDRESS: 2580 St. Rose Parkway #125  
 CITY: Henderson STATE: NV ZIP: 89074  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Kaempfer Crowell - Tony Celeste  
 ADDRESS: 1980 Festival Plaza Dr. #650  
 CITY: Las Vegas STATE: NV ZIP: 89135  
 TELEPHONE: 702-792-7000 CELL: 702-702-7048  
 E-MAIL: apierce@kcnvlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 176-03-511-002 & 003

PROPERTY ADDRESS and/or CROSS STREETS: 215 near Rainbow

PROJECT DESCRIPTION: Multi-family development.

(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.

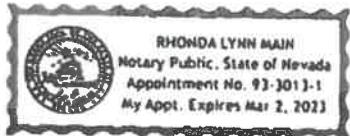
[Signature]  
 Property Owner (Signature)\*

Miles Sansone  
 Property Owner (Print)

STATE OF NVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON APR. 5, 2022 (DATE)

By MILES SANSONE  
 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.

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**ANTHONY J. CELESTE**

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

702.693.4215

LAS VEGAS OFFICE  
1980 Festival Plaza Drive  
Suite 650  
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Tel: 702.792.7000  
Fax: 702.796.7181

RENO OFFICE  
50 West Liberty Street  
Suite 700  
Reno, NV 89501  
Tel: 775.852.3600  
Fax: 775.327.2011

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

December 21, 2022

**VIA UPLOAD**

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

**PLANNER  
COPY**

**Re: *Justification Letter – Zone Change from C-2 to R-5; Design Review for a Multi-Family Development; Design Review for Alternative Parking Lot Landscaping; and Waiver of Development Standards to (1) Increase Building Height and (2) Reduce Throat Depth Axiom 3, LLC - APN: 176-03-511-003***

To Whom It May Concern:

Please be advised our office represents Axiom 3, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 4.42 acres and is generally located between Sunset Road and Raphael Rivera and west of the west side Montessori Street. The property is more particularly described as APN: 176-03-511-003 (the “Site”). The Applicant is proposing a multi-family development. As such, in addition to the design review for the multi-family development and associated waivers, the Applicant is requesting a zone change from C-2 to R-5. Also, submitted concurrent with this request, the Applicant is requesting a master plan amendment from Business Employment (BE) to Urban Neighborhood (UN).

By way of background, the current office building was located on one parcel that was approximately 5 acres. The parcels have now been split with the office building located on 176-03-511-002 and the proposed development located on the Site. As further discussed below, the Applicant is proposing to develop a 131-unit multi-family development on the Site.

**Zone Change:**

A zone change from C-2 to R-5 is appropriate for the following reasons:

- While the Site is zoned C-2, the Site is located behind the developed office building and several hundred feet south of Sunset Road. Therefore, the commercial use is less desirable. Rather, with Site’s proximity to the developed commercial uses on the northwest, northeast, and southeast corners, a multi-family use is compatible. The Site is also adjacent to an existing multi-family development. Adding additional multi-family

units within easy walking distance of the commercial shopping centers will provide for an ideal pedestrian connectivity between the two (2) uses. Also, there are existing employment opportunities nearby including existing office and warehouse buildings. With a mixture of uses, the proposed multi-family project is appropriate for the area.

- Policy 1.3.1 of the Transform Clark County Master Plan Countywide Goals and Policies encourages integration of grocery stores, restaurants, medical offices, and other daily-needs services as part of or adjacent new neighborhoods to minimize the need for longer-vehicle trips. Here, the proposed the proposed R-5 zoning for a multi-family development is near several developed retail commercial shopping centers, several restaurants, banks, and other daily-needs services.
- Policy 1.1.2 of the Transform Clark County Master Plan Countywide Goals and Policies encourages a concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services. Here, the Site is near 215, Sunset Road, and Rainbow Boulevard which are major high-frequency transit corridors.
- The Site is currently zoned C-2 which is the most intense commercial zoning district. Additionally, with a special use permit, a multi-family use with a density up to 18 dwelling units per acre is permitted and for a senior multi-family development the allowed density is up to 22 dwelling units per acre. The Site is located near three intense commercial shopping centers at the Sunset Road and Rainbow Boulevard intersection. Even at the density of R-5, this use is no more intense than what is already contemplated for the area. Therefore, the intensity and density of a multi-family development is appropriate for the area.
- A zone change also meets the more specific Spring Valley Goals and Polices including the following policies:
  - Policy SV-1.1 encourages compatible infill development and standard for transitioning from higher intensity uses. Here, the Site is an infill property and the high denser residential multi-family development is not near any less intense uses and densities.
  - Policy SV – 1.3 encourages targeted infill development to support more varied housing options – type, density, and price point. Here, the Applicant is proposing a multi-family development.

PLANNER  
COPY

**Design Review:**

The Applicant is proposing a multi-family development consisting of 131 residential units with a density of 29.6 dwelling units per acre. The Applicant is proposing the following unit mix: 15 one-bedroom studios, 50 one-bedroom units, and 66 two-bedroom units. Access to the Site will be from Montessouri Street from the north and Raphael Rivera Way from the south. There will be a drive aisle around the entire Site providing for ideal on-site circulation.

The Applicant is proposing to construct a five (5) level, 62-foot tall multi-family building. The elevations of the proposed building will be enhanced by a spectrum of colors which includes blues, beiges, and grays. Likewise, the elevations show enhanced articulation to break up a monolithic look as well as providing enhanced finishes such as stucco walls, wood like tiles, aluminum column covers, balconies, and pop outs. The Site will provide outdoor amenities such as a centralized pool and spa area, patio, and BBQ area. Indoor amenities will include: a fitness center, yoga room, sauna, and lobby area. The Applicant is providing 14,877 square feet of open space where 13,100 square feet is required.

The Applicant is sharing the existing parking garage and surface parking with the office use. When combining the office use and the multi-family use, a total of 543 parking spaces are required. Here, the total amount of parking provided is 550 spaces. Therefore, the amount of parking provided exceeds the amount of parking required.

Finally, no additional design review is required for the grade. The grade for the Site has already been set, and, therefore the grade is 0-feet.

**Design Review for Alternative Parking Lot Landscaping:**

The Applicant is utilizing the existing surface parking and parking garage on the Site. The existing surface parking was part of the approval for the existing office building on the neighboring parcel. The existing surface parking is providing landscape islands just not at the required ratio of every 6 parking spaces. However, the Site is exceeding the overall required landscaping, and, therefore, the Applicant is requesting a design review for the alternative parking lot landscaping. The Applicant is providing a total of 157 trees where only 107 trees are required.

**Waiver of Development Standards:**

- **Increase Building Height**

The Applicant is proposing to build a 62-foot tall building where 50-feet is allowed in an R-5 zoned district. Although the Applicant is requesting an increase in height, the proposed request is reasonable and compatible for the following reasons: (1) the Site is near to the 215, (2) the Site located just north of an existing 70-tall office building, and (3) just on the north side of Sunset Road is an existing office building near 100-feet in height. Also, it is

important to note the fifth level plate is less than 44-feet in height. The main reason for the increase in height of up to 62-feet is to provide architectural enhancements and shield the mechanical units.

- **Reduce Throat Depth**

The Applicant is requesting to reduce the throat depth to 0-feet where 150-feet is required. While the Applicant is requesting to reduce the throat depth, the reduction will not cause safety concerns for the following reasons: (1) the development is not gated, therefore reducing any stacking in the right-of-way, (2) Montessouri Street terminates at the Site as it does not go farther south, (3) Wagon Trail Avenue terminates at the Site as it does not go any farther west, and (4) at the entrance, the first parking space is about 18-feet from the west side and 32-feet from the south side, respectively, and thereby providing additional queuing and stacking on the Site.

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/amp

PLANNER  
COPY



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03/21/23 PC AGENDA SHEET

PERSONAL SERVICES  
(TITLE 30)

JONES BLVD/UNIVERSITY AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0696-MATRAVERS FAMILY TRUST ETAL & MATRAVERS, PETER TRS:**

**USE PERMIT** for personal services (beauty salon) within an existing commercial office complex on a portion of 2.5 acres in a C-P Zone.

Generally located on the west side of Jones Boulevard and the south side of University Avenue within Spring Valley. MN/bb/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-23-604-001; 163-23-604-006 ptn

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4445 S. Jones Boulevard
- Site Acreage: 2.5 (portion)
- Project Type: Personal services (beauty salon)
- Number of Stories: 1
- Square Feet: 3,182
- Parking Required/Provided: 129/182

**Site Plan**

The plan depicts an existing office complex on 2.5 acres at the southwest corner of Jones Boulevard and University Avenue. There are 5 office buildings and 182 parking spaces with existing landscaping and access to University Avenue. The proposed 3,182 square foot space is located in Building B, and is the second building south of University Avenue, on the west side of the site, adjacent to the north/south drive aisle.

**Landscaping**

The property has existing landscaping and fully developed pedestrian access.

Elevations

The elevations depict a 1 story stucco sided office building with canopy covered entry doors and aluminum frame windows on all sides. Building B has a ground floor level below the property to the west.

Floor Plans

The plans depict 1 large open space area of 3,182 square feet on the west side of Building B, with access adjacent to the main access driveway.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to operate a beauty salon between 9:00 a.m. and 6:00 p.m. The salon will have licensed estheticians to perform all personal beauty services as regulated by the Nevada State Board of Cosmetology. The services include facials, waxing, and lash extensions among standard salon services.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0234-01	Vacated and abandoned a patent easement on the west side of property	Approved by PC	April 2001
TM-0528-00	Commercial office center	Approved by PC	August 2000
ZC-0416-97	Reclassified from C-1 to C-P zoning	Approved by BCC	April 1997

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Mini-storage
South	Neighborhood Commercial	C-1 & C-2	Office & restaurant
East	Urban Neighborhood (greater than 18 du/ac)	R-4	Condominium residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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. This property currently has 5 office buildings and exceeds the required parking for associated uses. The existing commercial office building is located approximately 72 feet east of the existing residential property. The residential homes located west of this site are a few feet higher than the floor elevation of the offices, with a 6 foot block wall on the property line. All of the homes on the west side of the property are single story and elevated above the offices. The personal services will operate during regular office hours on weekdays and on weekends. The weekend operating hours will have even more access to parking when considering standard office uses are not open on weekends. Staff can support the proposed special use.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 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)**

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KATHERINE W. MATRAVERS**

**CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119**



5

03/21/23 PC AGENDA SHEET

RESTAURANT  
(TITLE 30)

SAHARA AVE/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0014-WELL DONE, LLC:**

**USE PERMITS** for the following: 1) outside dining in conjunction with an existing restaurant; and 2) eliminate pedestrian access.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate setbacks; 2) alternative street landscaping; 3) waive parking lot trees; and 4) allow non-standard improvements in the right-of-way.

**DESIGN REVIEW** for a proposed addition and outside dining and drinking area to an existing restaurant on 1.0 acre in a C-1 (Local Business) Zone.

Generally located on the south side of Sahara Avenue, 100 feet west of Cimarron Road within Spring Valley. RM/lm/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-09-102-009 through 163-09-102-012

**USE PERMITS:**

1. Outside dining/drinking in conjunction with a restaurant in C-1 Zone.
2. Eliminate pedestrian access around the perimeter of the outside dining area where 48 inches is required per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate front setback and setback from the right-of-way where 10 feet is required per Table 30.40-4 and Section 30.56.040 (a 100% reduction).
2. Allow alternative landscaping behind an attached sidewalk where 15 feet of landscaping is required per Section 30.64.030.
3. Waive parking lot landscaping (trees) where Figure 30.64-14 is required.
4. Allow non-standard street improvements in the right-of-way (Sahara Avenue) where not allowed per Section 30.52.050.

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 8245 Sahara Avenue
- Site Acreage: 1
- Project Type: Restaurant with outside dining
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 9,580 (total)/8,016 (existing restaurant)/1,564 (addition)/765 (outside dining)
- Parking Required/Provided: 174/186

#### Site Plan

The plan depicts an extension to the existing restaurant (Limoncello) that has access to Sahara Avenue. The building is located at the northeast corner of the site with parking located along the west property line and south of the building. The site shares required parking with the parcels to the east and south within the same shopping center. The addition to the restaurant is located at the southwest corner of the building, with an outside dining area on the north side of the building. The plan includes removing several parking spaces to provide the additional dining room and manager's office. The outside dining patio area is within the existing street landscape area, set back zero feet from the street right-of-way/property line, and separated by 11 feet 7 inches from the rear of sidewalk.

#### Landscaping

Street landscaping is located within the public (Clark County) right-of-way for Sahara Avenue, approximately 15 feet wide, with additional street landscaping located to the east of the outside dining area between the building and the right-of-way. Additional trees are located within the existing and proposed landscaping to the south of the building and within the existing parking lot landscape island located south of the building. The addition to the restaurant will remove a landscape finger on the end of a row of parking; therefore, compliance with Figure 30.64-14 is now required. Shrubbery is provided on the west side of the building.

#### Elevations

The plans depict an existing 24 foot high restaurant building with flat roofs surrounded by painted stucco parapets with pitched metal roof, and wrapped stucco trim. The proposed addition includes full height steel and glazing panel inserts to match the existing windows to provide shade by fabric awnings. The 36 inch decorative metal barrier surrounds the proposed outside dining area on the northwest side of the building.

#### Floor Plans

The plans depict an existing 8,016 square foot building with the 1,564 addition of a new dining area with bar and manager's office at the southwest corner of the building. The existing patio constructed on the north side of the building is to be converted into a 765 square foot outside dining area with 36 inch high barrier.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the location of the outside dining area is located at a higher grade than the existing sidewalk and Sahara Avenue. Additionally, the outside dining area is surrounded by a 36 inch high fence with internal entry access to the indoor dining area and an emergency gated access on the west side of the patio. Pedestrians and customers will not be able to access the restaurant from Sahara Avenue, only from within the restaurant. The street frontage landscaping area consists of trees and shrubs and matches the landscaping widths on the adjacent lots along Sahara Avenue. Since the restaurant site was originally constructed in 1996 the Sahara Avenue alignment has transferred from NDOT to Clark County, and the request is to maintain existing landscaping improvements. While the original site was developed under the prior Development Code (Title 29) and met parking lot landscaping standards at that time, additional landscaping has been provided within the existing parking lot landscape island.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1320-97	Reduced front setback to a freestanding sign in conjunction with a restaurant	Approved by PC	September 1997
WT-0369-97	Decreased finished floor elevation in conjunction with a commercial building	Approved by PC	April 1997
VC-1944-94	On-premises consumption of alcohol in conjunction with a restaurant	Approved by PC	January 1995
ZC-1487-94	Reclassified 5 acres to C-1 zoning for a restaurant with office/retail complex	Approved by BCC	October 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Place of worship
South & East	Neighborhood Commercial	C-1	Office/retail within the same complex
West	Neighborhood Commercial	C-1	Mini-warehouse facility

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

**Use Permits**

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

### Waivers of Development Standards

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

### Use Permits & Waivers of Development Standards #1 & #2

While staff can typically support the addition of outside dining, the location of the proposed dining area conflicts with standard safety practices for patrons, as there is no setback from the public right-of-way/property line and located 11 feet 7 inches south of the existing public sidewalk. At the time of the tenant improvement for the existing restaurant (BD19-18782), the proposed outside dining pad was not shown on the plans along with a statement that landscaping was not a part of the request; and therefore, was not reviewed by staff for outside dining. Per aerial evidence, the street landscaping was altered and did not conform to street landscaping standards in place at the time of installation. While staff acknowledges there is a grade difference between the street and sidewalk level and the dining area, staff is concerned that in the future the outside dining area could become a hazard to dining patrons if the right-of-way is constructed to full width and the sidewalk moved to the edge of the existing right-of-way/property line. Staff is unable to support the request to eliminate the pedestrian access around the perimeter of the outside dining area and reduce the setback of the outside dining area.

### Waivers of Development Standards #3 & #4

The proposed alternative street landscaping and parking lot landscaping are self-imposed hardships with the proposed expansion of the restaurant. The location of the restaurant addition removes existing parking lot landscape fingers at the southwest corner of the building. Although additional trees are proposed within the parking lot landscaping island located south of the building, the purpose of providing parking lot trees is to help reduce urban heat island effect. Therefore, staff cannot support these requests.

### Design Review

While the design of the restaurant addition is architecturally compatible with the existing building, the location of the outside dining area and the alternative street and parking lot landscaping are self-imposed hardships; therefore, staff is unable to support this request.

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

#### Waiver of Development Standards #5

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #5 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

### **Staff Recommendation**

Approval of waiver of development standards #5; denial of the use permits, waivers of development standards #1 through #4, and design review.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- 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**

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

**Fire Prevention Bureau**

- No comment.

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

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

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

**APPLICANT:** JENNY KIM

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







AGENDA LOG AMENDMENT
Department of Comprehensive Planning

5

Application Number: UC-23-0014

Property Owner or Subdivision Name: WELL DONE LLC

Public Hearing: Yes [X] No [ ]

Staff Report already created: Yes [ ] No [X]

Delete this application from the: TAB/CAC 1/17/2023 PC BCC

Add this application to the: TAB/CAC 2/28/2023 PC BCC

Change(s) to be made:

- Held no date specific
Withdrawn
[X] No change to meeting(s) 3/21/23 PC Meeting
Amend Write-up
Renotify
Make a public hearing (Radius: )
Rescheduling
[X] Other: Correct Spring Valley TAB date in Accela
Additional fees - \$AMOUNT OF ADDITIONAL FEES:
Refund
80%
100% (please include justification for full refund below)
AMOUNT OF REFUND\$:

Reason for Change: Correct Spring Valley TAB date in Accela

Change initiated by: lmn Date: 1/19/2023

Change authorized by: GRC Date: 1/19/2023

Change processed by: ds Date: 1/19/2023

Follow up assigned to: lmn Instructions: return file to lmn to complete review

Parcel Number(s): 163-09-102-010

Town Board(s): Spring Valley



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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"/> 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>182-23-0014</u> DATE FILED: <u>1/18/2023</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>2/28/2023</u> PC MEETING DATE: <u>3/21/2023</u> BCC MEETING DATE: _____ FEE: <u>\$1450.00</u>
	<b>PROPERTY OWNER</b> NAME: <u>Well Done LLC - Jenny Kim</u> ADDRESS: <u>8245 W. Sahara Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>310-855-4789</u> E-MAIL: <u>allegria.bindi@gmail.com</u>
	<b>APPLICANT</b> NAME: <u>Jenny Kim</u> ADDRESS: <u>8245 W. Sahara Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>310-855-4789</u> E-MAIL: <u>allegria.bindi@gmail.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): 163-09-102-010  
 PROPERTY ADDRESS and/or CROSS STREETS: Sahara Ave. & Cimarron Road  
 PROJECT DESCRIPTION: Expansion to an Existing Restaurant

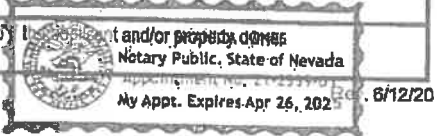
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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)  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 1/10/2022 (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: 

Jenny Kim  
 Property Owner (Print)



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



LAW OFFICE

*Brown, Brown & Premisrirut*

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

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

January 17, 2023

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

**RE: Addition/Expansion/Remodel of an Existing Restaurant (Limoncello)**

**Justification Letter: Revision 3: Special Use Permit to modify outside dining/drinking requirements; Waivers of Development Standards to maintain existing site conditions; and Design Review/s for an Expansion/Addition to an existing Restaurant Assessors' Parcel Number: 163-09-102-010**

**To Whom It May Concern:**

On behalf of our Client, Well Done LLC, we respectfully submit this application package for a proposed addition/expansion to an existing Restaurant. The proposed project is located on the south side of Sahara Avenue and approximately 130 feet west of Cimarron Road. The restaurant is on a 1.0 acre C-1 (Local Business) zoned parcel. The proposed addition is to a portion of the west side of the existing building. The parcel is a part of a four lot parcel map with cross access, ingress, and egress.

**Project Description:**

The proposed expansion is a one thousand, five hundred and sixty-four (1,564) square foot addition to an existing eight thousand, and sixteen (8,016) square foot restaurant. The expansion will result in a total square nine thousand, five hundred and eighty (9,580) square foot restaurant building. An existing 765 square foot concrete pad area on the north side of the restaurant, which is currently unused, will be enclosed and used as an outdoor dining/patio area. The application also includes a remodel of the existing façade of the restaurant building which includes the replacement of the existing windows and doors, replacement, and addition of new awnings to match those proposed for the addition/expansion to the building.

The primary vehicular access to the site is from Sahara Avenue with existing additional access and shared cross access with the commercial center to the east from Cimarron Road; and with the two story office building to the south from Laredo Avenue which are part of the existing four lot parcel map.

A shared parking schedule is provided on the plans for shared parking with the office buildings to the south. A shared parking agreement is provided between the owner of the restaurant parcel and the owner of the developed office building parcels to the south. Based on the actual use of parking on the three parcels there is extra parking on the sites even during the operations of both the office

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AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

and restaurant. Additionally, the peak hours of operation for the restaurant actually differs from what is stated on the shared parking schedule. The restaurant actually commences operation at 4:00 p.m. in the evening and closes at 10:30 p.m. while the office uses operate mostly during morning and early evening hours.

**Landscaping:**

Landscaping as depicted is existing along the frontage of the parcel on Sahara Avenue and also within portions of the right-of-way. This portion of Sahara Avenue was under the jurisdiction Nevada Department of Transportation (NDOT) and landscaping was allowed with all development within the unpaved portion of the right-of-way. The landscaping areas matches the adjacent developments to the east and west. The landscaping within the site and within the right-of-way existing and enhances the site. New landscaping is depicted in front of the addition which will enhance the frontage of the building.

**Elevation:**

The existing restaurant building is up to 24 feet high to the top of the parapet. The addition is up to 17 feet high with a pitched roof line at the lowest portion of the roof. The design of the façade of the addition is the same as the current design along the west property line. The exterior finish will be the same as existing and will include new stucco wrapped trim with colors to match. A new pitched roof with panels, new awnings, and new windows and doors to match the existing design elements.

**Special Use Permit:**

Waive the requirement for the required 48 inch minimum pedestrian access around the perimeter of the outside dining area.

**Justification:**

This request is necessary because the outside dining/drinking area is located north of the building adjacent the Sahara Avenue frontage of the site. The area is located at a higher grade than the sidewalk and Sahara Avenue. Based on the grade difference along this northern portion of the pedestrians are customers will not be able to access the restaurant from the Sahara Avenue only from within the restaurant as required by Code. As designed customers of the restaurant can exit the outside dining area by going back through the restaurant or by the side gate located on the northwestern end of the outside dining area/building where a sidewalk is provided to exit to the parking area located on the west side of the building and site.

**Waiver of Development Standards:**

1. Reduce the front setback to the outside dining area up to “zero” feet where a ten (10) foot setback is required.

**Justification:**

This request is specifically for the proposed outdoor dining area (patio). The existing building including the addition is more 15 feet from the property line and the right-of-way and complies with required setbacks. This area is an existing pad which can now be used with the addition of the 36 inch high fence enclosure to protect customers. The pad area as it exists is located above street level and will enhance the northern frontage of the restaurant and area. Additionally, this request will not impact Sahara Avenue or the existing area because there is up to 11 feet to 13.5 feet wide landscape area between the proposed patio, the sidewalk, and paved portions of Sahara Avenue in this area.

2. **Reduce the setback to the right-of-way for the outside dining area up to “zero feet” where a ten foot setback is required.**

**Justification:**

This request is specifically for the proposed outside dining area (patio). This area is an existing concrete pad which can now be used with the addition of a 36 inch high fence to enclose the area for an outdoor dining/patio which will protect the area and customers and enhance the northern frontage of the building. The pad area as it exists is located slightly above street level, and therefore, will not impact the right-of-way but will enhance the northern frontage of the restaurant and area. Additionally, this request will not impact Sahara Avenue or the site because there is up to a 15 foot wide landscaped area between the proposed outdoor dining area/patio and the attached sidewalk and paved portions of Sahara Avenue along the frontage of the parcel.

3. **Allow the existing landscaping along the street frontage with some enhancements along Sahara Avenue.**

**Justification:**

This request is to maintain the existing landscaping along the Sahara Avenue frontage of the site. The subject site was developed in 1996 which was prior to Title 30 and met the existing Code requirements at the time. The existing landscaping along the frontage of the subject restaurant building does not comply with Title 30 requirements and may have been amended over the years. However, more than 15 feet of landscaping exists along portions of the Sahara Avenue frontage both on portions of the parcel and within portions of the right-of-way which matches the landscaping on the adjacent lots. Additional landscaping consisting of trees and shrubs is added to the plans and will be installed in conjunction with the addition requested. This request does not impact the site.

4. **Allow landscape existing parking lot landscaping with enhancements (west & south of the building) and south within a landscape island.**

**Justification:**

This request is to maintain the existing landscaping within the parking lot. The subject site was developed in 1996 which was prior to Title 30, therefore, the existing parking lot landscaping does not comply with Title 30 requirements. The request is to maintain the landscaping, however, additional landscaping consisting of a few trees and shrubs are added to the existing landscaping and will be installed in conjunction with the addition requested. This request does not impact the site.

**5. Permit existing non-standard improvements (landscaping) within the right-of-way.**

**Justification:**

This request is for an existing condition (landscaping) within the right-of-way. Sahara Avenue was under the jurisdiction of NDOT when the site was developed in 1996. The existing landscape was allowed within the right-of-way by NDOT. Per County Staff this portion of Sahara Avenue was granted to Clark County Public Works in 2019. This waiver is to maintain an existing condition because removing the landscaping in front of the building as stated by Staff will create a situation that removes an existing enhancement along a street frontage and will also result in reduced air quality in the area because of the consistent winds in the Valley which will create dust in undeveloped areas. Allowing the landscaping within undeveloped portions of rights-of-way especially along the frontage of developed properties complies with the purpose outlined in Section 30.64.010 and is encourage along street frontages not only as an enhancement but to help reduce dust, noise, heat, assist in wind/dust control, minimize water run-off and to improve the overall air quality of the Valley creating a more sustainable atmosphere to help with climate change. This parcel and other developed properties along the southern portion of Sahara Avenue are developed with landscaping within the street. Removal of the existing landscaping when the area is not needed to widen a street or for any other required public service and or infrastructure use is detrimental to the stated purpose of landscaping in the Development Code and therefore, should be allowed to remain as previously allowed and developed.

**Design Review:**

- 1) A proposed addition/expansion/Remodel of an existing restaurant in a C-1 Zone.
- 2) An addition of a fence around an existing concrete pad area for use as an outdoor dining area.

**Justification**

The proposed fence around the existing pad which create an outside dining area (patio) is setback more than 13 feet from the paved portion of Sahara Avenue and the attached sidewalk. The patio will overlook the area since it is located at a higher grade than street level and will enhance the street frontage. The design of the patio is appropriate and compatible use for the site and the adjacent area.

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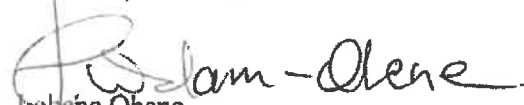
The proposed application is appropriate and compatible with the existing uses in the area and complies with the general goals and policies outlined in the Master Plan for additions and redevelopments to and for existing sites to enhance and complement existing uses.

We appreciate your consideration in the review and positive recommendation for the application and the addition to the restaurant.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Felene Ohene  
Land Use and Development Consultant



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03/21/23 PC AGENDA SHEET

OFF-HIGHWAY, VEHICLE, RECREATIONAL VEHICLE  
AND WATERCRAFT STORAGE  
(TITLE 30)

VIKING RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0043-LAS VEGAS II MINI U STORAGE, LLC:**

**USE PERMIT** for off-highway vehicle, recreational vehicle, and watercraft storage.  
**DESIGN REVIEW** for a proposed mini-warehouse building in conjunction with an existing mini-storage facility on 3.5 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Viking Road and Buffalo Drive within Spring Valley. JJ/sd/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-16-801-017

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3925 S. Buffalo Drive
- Site Acreage: 3.5
- Project Type: Off-highway vehicle, recreational vehicle, and watercraft storage
- Number of Stories: 2
- Building Height (feet): 24
- Square Feet: 40,357
- Parking Required/Provided: 6/10

**Site Plans**

The plans depict an existing mini-warehouse with a proposed use to include an off-highway, recreational vehicle, and watercraft storage as part of the business. The existing mini-warehouse was built in 1996. This application for a use permit is to allow for storage of off-highway, recreational vehicle, and watercraft storage as part of their expansion of the existing mini-warehouse facility. The existing covered RV parking area is being replaced with the new building, which will house the vehicles. The building is south of the existing 2 story mini-warehouse and in the center of 3 existing buildings to the south, east, and west. The front of the facility faces Buffalo Drive, and access is provided to the site from a driveway on Viking Road

and a shared driveway with the parcel to the south on Buffalo Drive. Ten parking spaces are provided in front of the facility adjacent to Buffalo Drive.

Landscaping

No changes to landscaping are proposed with this application. Landscaping currently exists on the property.

Elevations

The plans depict a mini-warehouse building to be utilized for storage of both personal belongings and for off-highway, recreational, and watercraft storage, and is 24 feet to the parapet wall. The materials for the exterior is prefabrication canopies, painted panels, and stucco. Architectural elements include glazed windows, sliding doors, and a parapet wall.

Floor Plans

The plans depict a 40,357 square foot floor plan with individual units for internal storage of off-highway, recreational, and watercraft vehicles of 200 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this project will provide affordable storage for residents and will include available units to allow for off-highway vehicle, recreational vehicle, and watercraft storage. The applicant has stated that there will be limitations on the size of those types of vehicles, which can fit within the storage units. The new expanded building will function like a mini-warehouse to provide for those residents of Las Vegas and the immediate area who need self-storage for their belongings.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0243-12	Vehicle rental and waiver for outdoor storage and display	Approved by PC	July 2012
UC-1537-05	Truck rental in conjunction with a mini-warehouse facility - expired	Approved by PC	November 2005
VC-1533-98	Truck rental in conjunction with a mini-warehouse facility - expired	Approved by PC	October 1998
ZC-0179-94	Reclassified the site to C-1 zoning for a mini-warehouse	Approved by BCC	April 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Corridor Mixed-Use	C-2	Commercial retail facility

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Open Lands	P-F	School
West	Compact Neighborhood (up to 18 du/ac)	R-4	Multiple family residential

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive Planning

##### Use Permit & Design Review

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

The proposed uses are consistent and compatible with existing and planned land uses in this area. The project will provide additional services and amenities to the area, which has residential uses across from Viking Road. The proposed use permit supports Policy 5:5.3 of the Master Plan, to encourage the retention and revitalization of established local business districts and the expansion of small businesses in unincorporated Clark County. The properties directly adjacent to the applicant's property are planned, zoned, and developed with existing non-residential uses and are separated from those areas currently residential uses. Also, the design of the existing mini-warehouse facility with the buildings along the front and the sides of the property creates an area to store any off-highway, recreational, and watercraft vehicles and will not be visible from the street nor to the residential uses across Viking Road. Staff does not anticipate any adverse impacts from the proposed use, especially considering the storage of these vehicles are indoors; therefore, staff supports these requests.

##### Staff Recommendation

##### Approval.

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

### PRELIMINARY STAFF CONDITIONS:

##### Comprehensive Planning

- 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 completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0045-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ENRIQUE WALLACE

**CONTACT:** ENRIQUE WALLACE, 27405 PUERTA REAL, SUITE 235, MISSION VIEJO,  
CA 92691



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

6

<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 type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-23-0043</u> DATE FILED: <u>1/25/23</u> PLANNER ASSIGNED: <u>SUD</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>2/28/23</u> PC MEETING DATE: <u>3/21/23</u> BCC MEETING DATE: _____ FEE: <u>\$1,350.00</u>
	<b>PROPERTY OWNER</b> NAME: <u>LAS VEGAS II MINI U STORAGE LLC</u> ADDRESS: <u>4675 MACARTHUR COURT, SUIT 500</u> CITY: <u>NEWPORT BEACH</u> STATE: <u>CA</u> ZIP: <u>92660</u> TELEPHONE: <u>949-752-1282</u> CELL: _____ E-MAIL: <u>RBRADLEY@DAHNCORP.COM</u>
	<b>APPLICANT</b> NAME: <u>ENRIQUE WALLACE III, ARCHITECT</u> ADDRESS: <u>27405 PUERTA REAL SUITE #235</u> CITY: <u>MISSION VIEJO</u> STATE: <u>CA</u> ZIP: <u>92691</u> TELEPHONE: <u>949-525-9229</u> CELL: <u>949-246-3683</u> E-MAIL: <u>RICK@WALLACEDESIGNGROUP.NET</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: _____ ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-16-801-017

PROPERTY ADDRESS and/or CROSS STREETS: 3925 S BUFFALO DRV., LAS VEGAS ,NV 89147

PROJECT DESCRIPTION: REMOVE AND EPLACE 2-RV PARKING COVERS  
WITH A 40,360 SF. 2STORY STORAGE BUILDING

(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.

Las Vegas II Mini U Storage, LLC a Delaware limited liability company, By: Elevation Fund 8, LLC a Delaware limited liability company, its sole member  
 By: Elevation Fund 8 Manager, L.L.P., a Delaware limited liability company, its manager, By: KMD Investments III, LP, a California limited partnership, a manager  
 By: Dahn Corporation, a California corporation, its general partner

[Signature]      Robert R. Bradley, Jr., Executive Vice President  
 Property Owner (Signature)      Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

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

**CALIFORNIA ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of Orange }

On August 1, 2022 before me, Theresa Lee Dallape, Notary Public  
*Date Here Insert Name and Title of the Officer*

personally appeared Robert R. Bradley, Jr.  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature TL Dallape  
*Signature of Notary Public*

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**  
 Title or Type of Document: Land Use Application LV II  
 Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_  
 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: _____	Signer's Name: _____
<input type="checkbox"/> Corporate Officer – Title(s): _____	<input type="checkbox"/> Corporate Officer – Title(s): _____
<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer is Representing: _____	Signer is Representing: _____

# ENRIQUE WALLACE III, ARCHITECT

architecture · planning · interiors

---

1 August 2022

Clark County Comprehensive Planning Department  
500 S. Grand Central Parkway  
Las Vegas, NV 89155-1741

UC-23-0043

RE: **Mini U Storage Buffalo Drive**  
**3925 S. Buffalo Drive, Las Vegas, NV 89147**  
**APR- 22-101099**

To Whom it May Concern,

Mini U Storage would like to replace the existing covered RV storage areas at the Buffalo Drive location with a new two-story storage building of approximately 40,000 square feet. The new building will be of a comparable height to the existing two-story storage building on the project site.

The project site has been offering secure storage options to the community for nearly two decades. There is a robust demand for quality drive-up and climate controlled storage options that Mini U Storage hopes to satisfy with the new storage building.

Best Regards,

Enrique Wallace III, Architect





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03/21/23 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

SUNSET RD/TENAYA WAY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0012-REMINGTON SUNSET, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County, located between Post Road and Sunset Road, and between Tenaya Way and Montessouri Street (alignment) within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

**APN:**  
163-34-801-013

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide government patent easements along the north, west, and east property lines. The applicant states that these government patent easements are not necessary for development of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0448	Reclassified the site from R-E to M-D zoning for warehouse buildings	Approved by BCC	September 2022

**Surrounding Land Use**

	Planned Land/Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Office warehouse
South	Business Employment	R-3	Multiple family residential
East	Business Employment	R-E	Undeveloped
West	Business Employment	C-2	Commercial center

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works – Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County 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 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road 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**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** REMINGTON SUNSET, LLC

**CONTACT:** KAYLA CASSELLA, VTN NEVADA, 2727 S. RAINBOW BOULEVARD,  
LAS VEGAS, NV 89146

DRAFT



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03/22/23 BCC AGENDA SHEET

RESTAURANT/OUTSIDE DINING  
(TITLE 30)

DURANGO DR/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0040-SDP DEVELOPMENT, LLC:**

**DESIGN REVIEWS** for the following: 1) restaurant; and 2) parking lot landscaping in conjunction with a previously approved shopping center on 4.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/lm/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-32-813-001

**DESIGN REVIEWS:**

1. Proposed restaurant with outside dining.
2. Alternative parking lot landscaping where Figure 30.64-14 is required.

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8640 Sunset Road
- Site Acreage: 4.1
- Project Type: Restaurant with outside dining
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,006
- Parking Required/Provided: 133/177

**Site Plan**

The previously approved shopping center consists of retail and restaurant buildings. Access to the site is provided along Durango Drive by 2 driveway access points. Cross access was approved in conjunction with a future proposed retail center to the west via 3 driveways. The request is to revise a previously approved drive-thru pad site to a proposed restaurant building that consists of 4,006 square feet with outside dining located on the south side of the building.

### Landscaping

Fifteen foot wide landscape areas are shown along Sunset Road and Durango Drive. The plans show previously approved 5 foot detached sidewalks along both street frontages. Various trees, shrubs and groundcover are provided around the building and pad site. In addition, the applicant is providing intense landscaping adjacent to Building F along the north property line, and smaller allowed trees within the power easement along Durango Drive. Alternative parking lot landscaping was previously approved to eliminate the landscape island fingers along the perimeter of the parking lot and the required quantity of trees has been evenly distributed throughout the site. Site lighting is fully shielded and evenly distributed throughout the site within landscape areas.

### Elevations

The approved buildings are 1 story with maximum heights between 22 feet and 24 feet. The proposed restaurant Building F has a total height of 24 feet with straight rooflines, parapet walls and architectural elements matching the previously approved buildings within the shopping center. The building exterior features include Fibercon wood cladding with dual clear glazing, aluminum frames and stone accent, and light sand finish colors. Building lighting is shielded and located a maximum of 14 feet above grade.

### Floor Plans

The plans depict a total building area of restaurant space of 4,006 square feet. The floor plans show internal open lease space, electric room with roof access, and covered outside dining area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the proposed building and landscaping comply to Code and the previously approved shopping center buildings.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-21-400046 (WS-18-0972)	First extension of time for reduced throat depth along Durango Drive, with design reviews for retail center, and alternative parking lot landscaping	Approved by PC	May 2021
VS-19-0422	Vacated and abandoned a portion of right-of-way being Durango Drive	Approved by PC	July 2019
TM-19-500094	Commercial subdivision	Approved by PC	July 2019
WS-18-0972	Reduced throat depth along Durango Drive, with design reviews for retail center and alternative parking lot landscaping	Approved by PC	May 2019
VS-18-0633	Vacated and abandoned government patent easements	Approved by PC	October 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0757-16	Vacated and abandoned government patent easements	Approved by PC	December 2016
TM-0155-16	Commercial subdivision - expunged	Approved by PC	December 2016
ZC-0193-06	Reclassified 5.2 acres from C-2 to U-V zoning	Approved by BCC	October 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Entertainment Mixed-Use	C-2	Wholesale & retail sales
East	Corridor Mixed-Use	C-2	Restaurant & service station
West	Corridor Mixed-Use	C-2	Undeveloped

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

**Related Applications**

Application Number	Request
WS-23-0038	Waiver of development standards to increase freestanding sign height and site signage in conjunction with a retail 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****Comprehensive Planning**

The retail commercial development design is compatible with the existing and proposed zoning and development in the area. The proposed design and layout comply with site design and orientation for retail commercial development within the Cooperative Management Agreement (CMA) Design Overlay District which encourages retail commercial developments to orient buildings closer to perimeter streets or street frontage (freestanding pad sites) in order to screen parking in the interior of the site and parking lot, and for visual enhancements. In addition, the applicant has provided for landscaping along the north property line and building lighting is shielded. Staff recommends 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:**

**Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0324-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SDP DEVELOPMENT, LLC

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



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# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

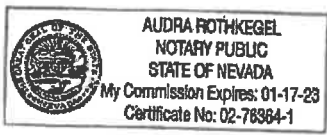
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-23-0040</u> DATE FILED: <u>1/25/23</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>SPIN, VALLEY</u> TAB/CAC DATE: <u>2/28/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/22/23</u> FEE: <u>\$506-</u>
	<b>PROPERTY OWNER</b>  NAME: <u>SDP Development LLC</u> ADDRESS: <u>7452 Grassy Field Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	<b>APPLICANT</b>  NAME: <u>Joseph Kennedy</u> ADDRESS: <u>3755 Rainbow Blvd #250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-405-3122</u> CELL: <u>702-306-7080</u> E-MAIL: <u>aelliott@jakrec.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): 163-32-813-001  
 PROPERTY ADDRESS and/or CROSS STREETS: Sunset Road and Durango Drive  
 PROJECT DESCRIPTION: Revision to previously approved Shopping Center (WS-18-0972)

(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.

Dhaval Shah  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON April 11, 2022 (DATE)  
 By Dhaval Shah  
 NOTARY PUBLIC: Audra Rothkegel



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

LAW OFFICE

*Brown, Brown & Premsrirut*

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

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSIMILE: (702) 385-1023  
EMAIL: [jbrown@brownlawlv.com](mailto:jbrown@brownlawlv.com)

December 13, 2022

Current Planning Division  
Department of Comprehensive Planning  
Clark County, Nevada  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

**RE: SDP Development LLC.**

**Justification Letter: Re-Design of a Pad Site (Pad F) a Lighting Plan and  
Alternative Landscaping for the Shopping Center (Revision 3)**

**Assessors' Parcel Number: 163-32-813-001**

**To Whom It May Concern:**

On behalf of our Client SDP Development LLC., please accept this application for a proposed re-design of a pad site a lighting plan and alternative landscaping within the parking lot for a previously approved shopping center consisting of retail and restaurant buildings on a total of 4.2 acres in a C-2 zone. The commercial center is located on the north side of Sunset Road and the west of Durango Drive. Access to the site is from one driveway on Sunset Road along the south property line and two driveways from Durango Drive along the east property line. The commercial center was approved by action on WS-18-0972.

**Project Information:**

The subject pad site is located on the northeastern portion of the parcel. This pad site was originally approved with a 2,600-foot fast food restaurant with a drive through. The proposed revision is a for a 4,006 square foot restaurant with an 865 square foot outside dining/drinking area. The required 48 inch sidewalk area is added around the outside dining/drinking area to comply to Code requirements. The additional square footage for the restaurant pad increases the square foot of the approved commercial center to 26,103 square feet and, therefore, meets the definition for a shopping center. A total of 177 parking spaces is provided where a total of 131 spaces is required for the shopping center. All other approved elements of the center as approved by WS-18-0972 remain the same.

The height of the restaurant is up to 24 feet to the top of the parapet and is designed to fit in with the approved design of the shopping center. The design finishes include a light sand finish IFFS, decorative wood cladding, stone veneer accents, awnings and aluminum doors and window frames with dual clear glazing.

**We respectfully request approval of the following requests.**

**Design Reviews:**

1. **Re-design of P "F"** This request is to increase the square footage to 4,006 square feet with an 865 square foot outside dining/drinking area.

**Justification:**

The previously approved plans showed a 2,600 square foot restaurant with a drive-thru. This request although is an increase to the square footage of the building will not impact the parking or other Code requirements. The plans are compatible with the buildings and are either completed or under construction within the shopping center.

2. **Lighting Plan:**

Lighting Plan for the shopping center.

**Justification:**

The lighting plan depicts the electrical plans for the site, the location of the light poles, and light fixtures on the building/s which complies to Code requirement complies. The submitted lighting plan was accepted for each of the buildings with approved building permits and are either under construction or completed within the shopping center.

3. **Alternative Parking Lot Landscaping:**

Allow alternative parking lot landscaping.

**Justification:**

The required landscaping in the parking lot adjacent to the restaurant building are adjusted to accommodate existing easements in the area. Additional trees with larger sizes are provided and distributed along the power easement and adjacent to the trash enclosure in the parking lot as depicted on the plans. This

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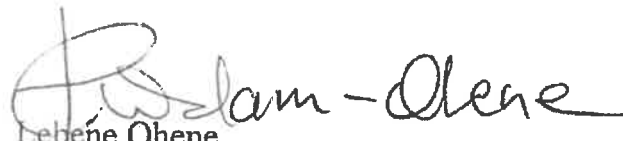
request will not impact the site since the required shrubs and ground cover will be provided as required by 30.64.030. The proposed re-design of the building on this portion of the site is to allow an addition to the restaurant building. The proposed lighting plan and alternative landscaping request will not impact the original design and approval for the site. These requests are compatible with the original design of the overall site.

We respectfully request your review and positive recommendation of the requests included in this application.

Please contact me at 792-598-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant

03/22/23 BCC AGENDA SHEET

SIGNAGE  
(TITLE 30)

DURANGO DR/SUNSET RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0038-SDP DEVELOPMENT, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase freestanding sign height.  
**DESIGN REVIEW** for proposed signage in conjunction with a retail center on 4.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/lm/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-32-813-001

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase freestanding sign height to 35 feet where 20 feet is allowed within the Cooperative Management Agreement (CMA) Overlay District per Section 30.48 Part I (a 75% increase).

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

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

- Site Address: 8640 Sunset Road
- Site Acreage: 4.1
- Project Type: Freestanding and sight signage
- Freestanding Sign Height (feet): 35

**Site Plan**

The previously approved shopping center consists of retail and restaurant buildings. Access to the site is provided along Durango Drive by 2 driveway access points. Cross access was approved in conjunction with a future proposed retail center to the west via 3 driveways. Building heights were previously approved with an overall height of 24 feet.

**Signage**

The proposed 35 foot high freestanding sign is located at the southeast corner of the site at the intersection of Durango Drive and Sunset Road. The freestanding sign is set back over 10 feet

from the rights-of-way located in the landscape area. The freestanding sign includes multiple tenant panels with aluminum angle framework with channel letters attached to face panels, aluminum decorative support tubes and painted stripes to match the architectural details and colors of the approved buildings.

The proposed building signage includes a light box for each tenant. There is no signage facing north on Buildings E and F.

Applicant’s Justification

The applicant indicates that the purpose of the increased sign height is to create sign visibility from the CC 215 and along adjoining streets. The site grade is lower than the CC 215 and with the speed of traffic along Sunset Road and Durango Drive, increased sign height is needed for visibility. Additionally, the site is located in an area along Sunset Road where signs have been approved up to 35 feet in height.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-21-400046 (WS-18-0972)	First extension of time for reduced throat depth along Durango Drive, with design reviews for retail center, and alternative parking lot landscaping	Approved by PC	May 2021
VS-19-0422	Vacated and abandoned a portion of right-of-way being Durango Drive	Approved by PC	July 2019
TM-19-500094	Commercial subdivision	Approved by PC	July 2019
WS-18-0972	Reduced throat depth along Durango Drive, with design reviews for a retail center, and alternative parking lot landscaping	Approved by PC	May 2019
VS-18-0633	Vacated and abandoned government patent easements	Approved by PC	October 2018
VS-0757-16	Vacated and abandoned government patent easements	Approved by PC	December 2016
TM-0155-16	Commercial subdivision - expunged	Approved by PC	December 2016
ZC-0193-06	Reclassified 5.2 acres from C-2 to U-V zoning	Approved by BCC	October 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Entertainment Mixed-Use	C-2	Wholesale & retail sales
East	Corridor Mixed-Use	C-2	Restaurant & service station
West	Corridor Mixed-Use	C-2	Undeveloped

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

### Related Applications

Application Number	Request
DR-23-0040	A design review for a restaurant with outside dining is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive Planning

##### Waiver of Development Standards

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

The design of the freestanding sign is compatible with the proposed commercial development; however, the sign does not meet the standards for height. Staff does not typically support waivers of development standards for freestanding sign height in the CMA Design Overlay District without mitigating circumstances. The proposed sign is significantly taller than the approved buildings on the site and the previously approved signage on the property to the west has expired. Staff cannot support the request.

##### Design Review

The design of the freestanding and building signs are compatible with the architectural character of the approved buildings. Each wall sign has similar size and design, and the applicant has provided an integrated design throughout the site respecting the impacts of signage on the residential property to the north. While staff supports the design of the proposed signage, staff is not supporting the increased sign height; therefore, staff cannot support the request.

##### Staff Recommendation:

Denial.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive Planning

If approved:

- Applicant is advised that the County 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: JOESPH KENNEDY**

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



10

FINISHED GRADE  
(TITLE 30)

SUNSET RD/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0041-CITY LIGHT CHURCH INC:**

**DESIGN REVIEW** for finished grade in conjunction with an approved place of worship on 4.8 acres in a C-P (Office and Professional) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 900 feet west of Lindell Road within Spring Valley. MN/bb/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

163-36-401-017; 163-36-401-031

**DESIGN REVIEW:**

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 - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4.8
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 29,492
- Parking Required/Provided: 295/298

**Site Plans**

The plans show a previously approved place of worship (UC-22-0439) located on the southwest portion of the site, 16 feet from the south property line and 35 feet from the west property line. Access to the site is from a driveway near the east property line and another driveway shared with the property to the west; both off of Sunset Road. A total of 298 parking spaces are provided to the north and east of the building where a minimum of 295 spaces are required. The

grading cross sections show the maximum amount of increased finished grade (up to 6 feet) located approximately 200 feet north of Sunset Road, 35 feet south of the north wall of the proposed building, which decreases towards Teco Avenue.

**Landscaping**

No changes are proposed to the previously approved landscape plan.

**Elevations**

The approved plans depict a 1 story, 35 foot high, place of worship building. Building materials consist of EIFS, decorative metal wall panels and trim, faux wood metal cladding, and aluminum window systems. The roof is a combination of flat roofs with parapet walls and standing seam metal roofing.

**Floor Plans**

The approved plans show a 29,492 square foot place of worship consisting of a worship area with 897 seats, Sunday school classrooms, church office areas, storage rooms, and restrooms.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant is requesting approval for increased finished grade of up to 6 feet on this property. The technical drainage study (PW22-18839) comment letter directed the applicant to obtain a waiver for the increased finished grade. The increased fill is required to match the existing elevation of the shared driveway between the subject parcel and the parcel to the left (163-36-401-071). The raised site elevation will meet the 1.2 feet required height above the flow line of Sunset Road.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-22-0440	Vacated easements	Approved by PC	September 2022
UC-22-0439	Place of worship and parking lot	Approved by PC	September 2022
ZC-1255-07	Reclassified the site from R-E to C-P zoning for an office complex	Approved by BCC	December 2007

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Business Employment	M-D	Undeveloped & office/warehouse

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Ranch Estate Neighborhood (up to 2 du/ac) & Neighborhood Commercial	R-E & R-E (RNP-I)	Single family residential & undeveloped
West	Neighborhood Commercial	C-P	Congregate care facility

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive Planning

##### Design Review

The proposed increase in finished grade is required to meet drainage study standards. Staff supports approval of the design review.

##### Public Works - Development Review

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

##### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

##### Comprehensive 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 this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Comply with approved drainage study PW22-18839;
- 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.

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

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that 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 #0155-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CITY LIGHT CHURCH, INC.**

**CONTACT: TANEY ENGINEERING, 6030 S. JONES BLVD, LAS VEGAS, NV 98118**

10



# 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) <b>USE PERMIT (UC)</b> <input type="checkbox"/> VARIANCE (VC) <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b> <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>DR-23-0041</u> DATE FILED: <u>1-25-2023</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>2-28-2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3-22-2023</u> FEE: _____
	<b>PROPERTY OWNER</b> NAME: <u>City Light Church, Inc.</u> ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 858-1433</u> CELL: _____ E-MAIL: <u>jeff@citylightvegas.com</u>
	<b>APPLICANT</b> NAME: <u>City Light Church, Inc. c/o Jeff Mockbee</u> ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 858-1433</u> CELL: _____ E-MAIL: <u>jeff@citylightvegas.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Taney Engineering Attn: Emily Sidebottom</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>emilys@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-017 & 031

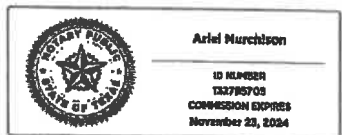
PROPERTY ADDRESS and/or CROSS STREETS: North side of Sunset Road, 1,300 feet East of Jones Blvd

PROJECT DESCRIPTION: Place of Worship

(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.

Jeffrey Scott Mockbee  
 Property Owner (Signature)\*  
 STATE OF Texas  
 COUNTY OF Dallas

Jeffrey Scott Mockbee, CFO  
 Property Owner (Print)



SUBSCRIBED AND SWORN BEFORE ME ON 07/20/2022 (DATE) by Jeffrey Scott Mockbee as CFO on behalf City Light Church Inc.  
 By Ariel Murchison Notary Public, State of Texas

NOTARY PUBLIC: Ariel Murchison Notarized online using audio-video communication

\*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.

11-23-22 52



**BOARD RESOLUTION OF CITY LIGHT CHURCH, INC.  
AUTHORIZED SIGNATORIES**

**DULY PASSED ON JANUARY 26, 2022**

**APPOINTMENT OF AUTHORIZED SIGNATORIES**

IT WAS NOTED, that Jabin Chavez, President and Jeffrey Mockbee, Chief Financial Officer; indicated their willingness to act as authorized signatories of City Light Church, Inc.

IT WAS THEREFORE RESOLVED, that Jabin Chavez, President and Jeffrey Mockbee, Chief Financial Officer; be and are hereby appointed as authorized signatories of the Company with effect from January 26, 2022.

FURTHER RESOLVED, Jabin Chavez and Jeffrey Mockbee are, and each acting alone are, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as said person shall deem necessary or advisable, to carry out the building, construction and financing related needs for City Light Church, Inc.

It is hereby certified by the undersigned that the foregoing resolution was duly passed by the Board of Directors of the above-named Company on the 26<sup>th</sup> day of January 2022, in accordance with the By-Laws and Articles of incorporation of the Company and the laws and by-laws governing the Company and that the said resolution has been duly recorded in the Minute Book and is in full force and effect.

  
David Hall (Jan 27, 2022 10:23 GMT+10.5)

DAVID HALL  
SECRETARY

Jan 27, 2022

PLANNER  
COPY

# Authorized Signatory

Final Audit Report

2022-01-26

Created:	2022-01-26
By:	Jeffrey Mockbee (jeff@citylightvegas.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAkheM7eQdeXARWWivYJN07HBvbqmeKANT

## "Authorized Signatory" History

-  Document created by Jeffrey Mockbee (jeff@citylightvegas.com)  
2022-01-26 - 11:36:07 PM GMT
-  Document emailed to David Hall (david.hall@lifepointchurch.com.au) for signature  
2022-01-26 - 11:36:57 PM GMT
-  Email viewed by David Hall (david.hall@lifepointchurch.com.au)  
2022-01-26 - 11:53:04 PM GMT
-  Document e-signed by David Hall (david.hall@lifepointchurch.com.au)  
Signature Date: 2022-01-26 - 11:53:33 PM GMT - Time Source: server
-  Agreement completed.  
2022-01-26 - 11:53:33 PM GMT

PLANNED  
COPY





## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

November 29, 2022

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

**Re: Teco & Duneville  
APN: 163-36-401-017 & -031  
Justification Letter**

To whom it may concern:

On behalf of our client, City Light Church, Taney Engineering is respectfully submitting justification for a Design Review as requested in the Technical Drainage Study (PW22-18839) comment letter dated November 16, 2022.

### **Design Review – Excess Fill**

This request is for a Design Review to allow for an excess fill of up to 6 ft. where a 3 ft. maximum is allowed per Title 30.32.040-9. The excess fill is required to match the existing elevation of the shared driveway between the subject parcel and APN: 163-36-401-071 and to increase the site's elevation to 1.2 ft. above the highest adjacent flow line in Sunset Road. Please see sheet G1 for further details.

We are hopeful that this letter clearly describes the intent of the request. If you have any questions or require additional information, please contact us at (702) 362-8844.

Sincerely,

Jeremiah Johnson  
Land Planner

PLANNED  
COPY



03/22/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

TROPICANA AVE/GRAND CANYON DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400009 (NZC-19-0886)-TROP GC APTS, LLC:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following 1) increase building height; and 2) reduce throat depth.

**DESIGN REVIEW** for a multiple family residential development.

Generally located on the south side of Tropicana Avenue, 300 feet east of Grand Canyon Drive within Spring Valley (description on file). JJ/tpd/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-30-501-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 54 feet where 50 feet is the maximum allowed per Table 30.40-3 (an 8% increase).
2. Reduce throat depth to 27 feet where 150 feet is the minimum distance allowed per Uniform Standard Drawing 222.1 (an 82% reduction).

**LAND USE PLAN:**

SPRING VALLEY – CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 174
- Density (du/ac): 35
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 54
- Open Space Required/Provided (square feet): 17,400/26,700
- Parking Required/Provided: 287/288

### Site Plan

The approved site plan depicts a proposed multiple family residential development in the shape of an "E" located in the center of the site. Access is provided by a single entrance from Tropicana Avenue on the northeastern portion of the site, and an emergency crash gate is provided in the northwest portion of the site. A 2 way drive aisle provides access to the parking spaces located around the perimeter of the site. Carports are provided for many of the parking spaces, and 34 garage parking spaces are provided on the west side of the building. Additional parking is provided per Title 30 standards for the enclosed parking spaces (garages) and guest parking. Setbacks for the building include 95 feet to Tropicana Avenue to the north, over 80 feet to the single family residences to the east and south, and 60 feet to an unbuilt shopping center to the west. Trash enclosures are provided on the east side of the development, and are set back at least 50 feet from the adjacent single family residences. Lastly, open space amenities, including a pool area, are located between the northern portions of the "E" shaped building, and additional parking spaces are located between the southern portions of the "E" shaped building.

### Landscaping

The approved plans depict perimeter landscaping and includes a 15 foot wide landscape strip along Tropicana Avenue with a detached sidewalk, an 8 foot wide landscape strip along the east and south property lines with an intense landscape buffer to a less intense use (single family residential), and an 8 foot wide landscape strip along the west property line. Trees include 24 inch box trees, and the spacing includes 2 rows of off-set trees spaced 30 feet on center along Tropicana Avenue, 2 rows of off-set trees spaced 10 feet on center along the east and south property lines, and a single row of trees spaced 20 feet on center along the west property line. Landscaping also includes landscape fingers in the parking areas and landscaping in the amenity area around the pool.

### Elevations

The approved plans depict a 4 story, 54 foot tall building with a variety of design elements to break-up the apparent mass of the building. Portions of the roof include pitched concrete roof tiles and parapet walls with cornice treatment. Elevations include varying surface planes, and finish materials including brick veneer, painted stucco, decorative railing on the balconies, and embellishments around the windows.

Since an intense landscape buffer is provided along the east and south property lines, the project can utilize a 2:1 height setback ratio to a less intense use (single family residential) rather than the standard 3:1 height setback ratio. The 4 story, 54 foot tall building transitions to 3 stories and is 43 feet tall along the east and south sides of the building. As a result, the 54 foot tall portion of the building is required to be set back at least 96 feet from the residences, and the 43 foot tall portion of the building is required to be set back at least 74 feet from the residences. Actual setbacks are over 100 feet for the 54 foot tall portion of the building and over 80 feet for the 43 foot tall portion of the building, exceeding Title 30 setback requirements.

### Floor Plans

The approved plans depict a multiple family residential building which include 120, one bedroom units and 54, two bedroom units. Both the 1 bedroom units and the 2 bedroom units include 4 different variations in the floor plans. The 26,700 square feet of open space includes a

19,500 square foot pool area, 3,000 square foot clubhouse, 1,700 square foot fitness area, and a 2,500 square foot conference area.

**Signage**

Signage is not a part of this request.

**Previous Conditions of Approval**

Listed below are the approved conditions for NZC-19-0886:

**Current Planning**

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- 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.

**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 #0495-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant indicates that an extension of time is warranted because a second design review was submitted and approved by the Board of County Commissioners. The second design review, NZC-21-0423, incorporated an additional 92 multiple family units on 2.4 acres located on the adjacent parcel, APN 163-30-518-003. The applicant is in the process of mapping and permitting the site. The approval of additional multiple family units on the adjacent property shows multiple family is still compatible for the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-21-0423	Reclassified from C-1 and C-2 to R-5 zoning with waivers and design review for a multiple family residential development	Approved by BCC	November 2021

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0886	Reclassified from R-E to R-5 zoning with waivers and design review for a multiple family residential development	Approved by BCC	December 2020
VS-19-0887	Vacated and abandoned easements	Approved by BCC	February 2020

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-1	Shopping center
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Corridor Mixed-Use	R-2	Single family residential
West	Corridor Mixed-Use	C-1 & C-2	Parking & undeveloped pad sites for a shopping center

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Since the approval of NZC-19-0886 the applicant has taken significant steps to proceed with the process of a multiple family residential development. Currently, the applicant has several building permits in process awaiting approval and has received approval for a drainage study. It is for these reasons that staff recommends approval of this request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until February 5, 2025 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: OVATION CONTRACTING, INC.**

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







# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

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APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0033</u>	DATE FILED: <u>1-24-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>2-28-23</u>
		TAB/CAC: <u>Spring Valley</u>	PC MEETING DATE: _____
		BCC MEETING DATE: <u>3-22-23</u>	R-E/AE-60
		FEE: <u>\$875.00</u>	Neighborhood Commercial MN

<b>PROPERTY OWNER</b>	NAME: <u>Shiva Ganesh, LLC</u>
	ADDRESS: <u>6480 W. Russell Road</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>All In Tennis Academy LLC</u>
	ADDRESS: <u>457 Morro Strand Ave.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>(702) 372-6024</u> CELL: _____
	E-MAIL: <u>sschneidertennis@yahoo.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Elizabeth M. Sorokac, Esq.</u>
	ADDRESS: <u>8965 S. Eastern Ave., Suite 382</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u>
	TELEPHONE: <u>(702) 727-6258</u> CELL: <u>(702) 245-5075</u>
	E-MAIL: <u>esorokac@rsnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-35-501-012

PROPERTY ADDRESS and/or CROSS STREETS: northeast corner of Quail Avenue and Mann Street; vacation of patent easement

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

<p>Property Owner (Signature)*</p> <p>STATE OF NEVADA COUNTY OF <u>Clark</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>October 5, 2023</u> (DATE)</p> <p>By <u>Lisa Hermansen</u></p> <p>NOTARY PUBLIC: <u>Lisa K. Hermansen</u></p>	<p style="font-size: 1.5em; font-family: cursive;">DHIRESH JOSHI</p> <p>Property Owner (Print)</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>LISA K HERMANSEN Notary Public-State of Nevada APPT. NO. 13-10721-1 My Appt. Expires 04-22-2025.</p> </div>
--	--

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



Elizabeth M. Sorokac, Esq.

Email: [esorokac@rsnvlaw.com](mailto:esorokac@rsnvlaw.com)

8965 South Eastern Avenue, Suite 382

Las Vegas, Nevada 89123

Phone: (702) 727-6258

Cell: (702) 245-5075

Fax: (702) 446-6756

January 4, 2023

***Via Online Submission: <https://citizenaccess.clarkcountynv.gov/CitizenAccess/Login.aspx>***

Nancy Amundsen, Director

Clark County Department of Comprehensive Planning

500 South Grand Central Parkway

Las Vegas, Nevada 89106

***Re: Applications for a Special Use Permit, Waiver of Development Standards, Design Review and Vacation of a Patent Easement (collectively, the "Applications") for that certain real property located on the northwest corner of Quail and Mann, Las Vegas, Nevada 89118 with an APN of 163-35-501-012 ("Property")  
Justification Letter***

Dear Ms. Amundsen:

This office represents All In Tennis Academy, a Nevada limited liability company ("Applicant"), on the Applications referenced above. This is a request for a special use permit for a recreational facility, waiver of development standards, design review of a proposed tennis facility and vacation of a patent easement on the Property.

The Property is approximately 2.5 acres of land located in the southwest part of the valley within the Spring Valley land use plan area. The Property is vacant and is planned Neighborhood Commercial and zoned R-E. The property to the north currently has existing single-family homes and is planned Neighborhood Commercial and zoned R-E. The property to the east is vacant, is located across Mann Street (a sixty-foot (60') right-of-way), is planned Public Use and zoned R-E. The property to the south currently has existing single-family homes, is located across Quail Avenue (a sixty-foot (60') right-of-way), is planned Ranch Estate Neighborhood and zoned R-E.

The proposed project is for a tennis facility with a 3,016 square foot clubhouse and six (6) outdoor tennis courts. The project is a recreational facility that requires a special use permit. The clubhouse will contain a pro shop with accessory retail merchandise for sale, a coach's lounge and office space, a gym and restrooms. The tennis facility is for use by the public—it will not be a private club—and will offer instruction for both children and adults as well as court time for matches. The facility also intends to host local tournaments. The proposed hours of operation are 7am to 9pm. The tennis courts are oriented north/south, which is the preferred direction for outdoor courts due to sun patterns. In the preparation of the site for construction of the facility, the maximum fill is 2.79 feet, which complies with the code requirements.

There will be two types of lighting used for the facility as detailed in the photometric plan. There are five (5) lights proposed for the parking area that are 20 feet (20') tall and thirty-two (32) lights proposed for the tennis courts that are 22 feet (22') tall. The photometric plan depicts the proposed lighting plan for the parking area and tennis courts, with the closest tennis court lighting located more than forty feet (40') from the property line to the north—the nearest developed properties. All of the lighting will be downward facing in compliance with the Clark County code. Further the photometric plan was designed to minimize its impact on the surrounding properties.

The Property meets the parking requirements of the code. Thirty (30) spaces are required and thirty-seven (37) spaces are provided—an excess of seven (7) parking spaces. The instruction classes and court times will be staggered to further alleviate any parking issues with the tennis facility. The provided parking will meet the parking needs of the staff and clients coming to the facility.

Along all sides of the Property (north, south, east and west) ten feet (10') of landscaping is being provided. The landscaping on the north side will be an intense landscaping buffer due to the adjacency of the project to existing single family homes. The Applicant is requesting a waiver of the required curb return driveways and the off-site development requirements, including curb, gutter, sidewalk and lighting along both Quail Avenue and Mann Street. The justification for the request is based on the character of the area. The requested waivers will blend the project with the surrounding area where these types of improvements generally do not exist. The Applicant does intend to provide the full-width of required paving for both Quail Avenue and Mann Street, which will be dedicated public right-of-way.

The Applicant is also requesting additional waivers for the project:

1. a waiver of the 25-foot minimum throat depth for driveways. The driveway throat depths vary between 4 feet and 16 feet due to the configuration of the site.
2. A waiver of the approach distance for the southern driveway. The minimum is 150 feet and 111 feet is provided;

3. A waiver of the departure distance for the northern driveway. The minimum is 190 feet and 121 feet is provided. The waiver of the two driveway distances are justified as the Applicant's design with two driveways provides for better circulation and easier drop off and pick up from the facility clubhouse.

The design of the clubhouse is a modern aesthetic with attractive colors. The maximum height of the clubhouse is twenty-six feet (26'). The main colors of the clubhouse are browns, tans and white, with black and silver accents. The main materials for the clubhouse elevations are concrete, and hardie plank siding with tile, glass and metal accents. The trash enclosure is located near the clubhouse and is more than one hundred fifty feet (150') from northern property line. The tennis courts are surrounded and separated by chain link fencing. The majority of the fencing—on the exterior of the tennis courts—is ten feet (10') in height. Within the facility the chain link fence is six feet (6') in height in between the courts. The project is an appropriate use for and blends with the surrounding area. It is a much-needed, recreational facility for Clark County that will be a low-impact amenity for the community.

In conjunction with the development of the Property, the Applicant is requesting the vacation of the patent easement on the Property as depicted on the submitted patent vacation exhibit/site plan and more particularly defined in the legal description provided. The patent easement is 33 feet wide and runs along the entire length of the north, south, east and west Property lines. The portions of the patent easement depicted are no longer needed as public right-of-way (either existing or future right-of-way dedicated as part of the development of the Property) provides access to the Property. Further, the vacation of the patent easement on the Property will allow for improvements to be constructed in the areas that are currently within the patent easement area.

The Applicant respectfully requests the approval of the Applications. Please contact me at 702-727-6258 or 702-245-5075 or via email at [esorokac@rsnvlaw.com](mailto:esorokac@rsnvlaw.com) if you have any questions or need any additional information if you have any further questions.

Very Truly Yours,

REISMAN·SOROKAC



Elizabeth M. Sorokac, Esq.

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03/22/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

QUAIL AVE/MANN ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0033-GANESH SHIVA LLC:**

**VACATE AND ABANDON** easements of interest to Clark County, located between Quail Avenue and Russell Road, and between Mann Street and Torrey Pines Drive within Spring Valley (description on file). MN/rk/syp (For possible action)

RELATED INFORMATION:

**APN:**  
163-35-501-012

**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 perimeters of the subject parcel, excepting out the southern 30 feet for Quail Avenue and the eastern 30 feet for Mann Street. The applicant indicates the patent easements are no longer necessary for the proposed development or surrounding area.

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-23-0032	A use permit for a recreational tennis facility on 2.5 acres is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication to include 30 feet for Quail Avenue, 30 feet for Mann Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ALL IN TENNIS ACADEMY LLC

**CONTACT:** ELIZABETH SOROKAC, REISMAN SOROKAC, 8965 S. EASTERN AVENUE, SUITE 382, LAS VEGAS, NV 89123

03/22/23 BCC AGENDA SHEET

B

RECREATIONAL FACILITY  
(TITLE 30)

QUAIL AVE/MANN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0032-GANESH SHIVA LLC:

**USE PERMIT** for a recreational (tennis) facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive full off-site improvements (curb return driveway, gutter, sidewalk, and streetlight(s)); and **2)** to allow modified driveway design.

**DESIGN REVIEW** for a proposed tennis complex on 2.5 acres in an R-E (Rural Estates Residential) (AE-60) Zone.

Generally located on the west side of Mann Street and the north side of Quail Avenue within Spring Valley. MN/rk/syp (For possible action)

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RELATED INFORMATION:

**APN:**

163-35-501-012

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive full off-site improvements (curb return driveway, gutter, sidewalk, and streetlights) along Mann Street and Quail Avenue where required per Section 30.52.050.
2.
  - a. Reduce the departure distance from an intersection to a driveway along Mann Street to 121 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 36% reduction).
  - b. Reduce the approach distance from a driveway to an intersection along Mann Street to 111 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 26% reduction).
  - c. Reduce the throat depth for the driveway along Mann Street to a minimum of 4 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (an 84% reduction).

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.5

- Project Type: Tennis complex (consisting of courts and a tennis building)
- Building Height (feet): Up to 26
- Square Feet: 3,016
- Parking Required/Provided: 30/37

#### Request & Site Plans

The request is for a special use permit for a tennis facility used by the public, it will not be a private club and will offer instruction for both children and adults. The undeveloped property is located between Quail Avenue and Russell Road on 2.5 acres. Currently there are existing homes located to the north and south of this site with a Planned Land Use of Neighborhood Commercial to the north and Ranch Estate Neighborhood to the south. The plans depict a proposed 6 court tennis complex with an approximate 3,016 square foot tennis building located near the center of the site. The tennis courts are oriented north/south, which is the preferred direction for outdoor courts due to sun patterns. All 6 courts will be surrounded by a 10 foot high chain-link fence and will be lighted for night use. There will be 2 types of lighting, 1 for the parking lot and 1 for the tennis courts, as detailed in the photometric plan. The facility meets the parking requirements of Code. Thirty spaces are required, and 37 spaces are provided. This request includes waivers of development standards for modified driveway design and to construct non-urban street standards for Mann Street and Quail Avenue with full width pavement; however, there will be no curb return driveway, gutter, sidewalk, or streetlights.

#### Lighting/Photometric Plans

The plans indicate the following: 1) highest luminance values are in limited areas adjacent to the tennis courts; 2) light poles for the tennis courts are approximately 22 feet in height and 20 feet in height for parking lot lights; and 3) the design implements sports lighting technology with advanced fixture shielding and aiming arrays to contain the light spill. All site lighting fixtures are similar in terms of design, materials, finish, color, and color of light. The light distribution and photometric plan were designed to minimize its impact on the surrounding properties.

#### Landscaping

Along all sides of the property landscaping will be provided 10 feet or greater. The landscaping on the north side of the property will provide a single row of trees spaced 20 feet apart per Figure 30.64-11 "buffer adjacent to a less intense use". Six foot high CMU walls are shown along the north and west property lines.

#### Elevations

The tennis building is 1 story, 26 feet high and will be constructed of concrete, and plank siding with tile, glass, and metal accents. The main colors of the clubhouse are browns, tans, and white with black and silver accents.

#### Floor Plans

The 3,016 square foot tennis building will provide restroom facilities, check-in area, pro-shop, gym, office, and coach's lounge.

#### Signage

Signage is not a part of this request.



**Applicant's Justification**

The applicant indicates the proposed hours of operation are 7:00 a.m. to 9:00 p.m. The tennis facility will be used by the public and will offer instruction for both children and adults as well as court times for matches. The facility also intends to host local tournaments. The applicant further states the project is an appropriate use and blends with the surrounding area. It is a much needed recreational facility for Clark County that will be a low-impact amenity for the community.

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0033	A request to vacate patent easements on the property is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning  
Use Permit and Design Review**

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.

A recreational facility with outdoor activities is not permitted by right in an R-E zoning district and only permitted subject to consideration of a use permit. The primary concerns with these types of uses are to ensure compatibility with existing and planned uses in the area.

Staff has no concerns with a tennis facility; however, staff finds that given the land use context of this area, with low density residential development to the north and south, should be carefully reviewed when introducing an outdoor tennis complex into a predominantly residential area. According to the applicant their will be instructional sessions, court times for matches, and even local tournaments being held at the facility that could substantially impact the surrounding neighborhood with noise, light pollution, and additional traffic generated on the site. The intent of sound land use planning is to buffer these types of uses either through transitional space or by other means from nearby residential uses. There are also land use policies within the Master

Plan which encourages sites to be compatible with adjacent land uses and off-site circulation patterns; and that new developments should be complementary and similar in scale and intensity to the surrounding land uses; therefore, staff cannot support this 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.

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

##### Waiver of Development Standards #1

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 #2

Staff cannot support the reduction in throat depth, approach, and departure distance for both the driveways on Mann Street. The design of the site will cause conflicts for vehicles entering the site.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

#### **Staff Recommendation**

Denial.

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

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

##### **Comprehensive Planning**

If approved:

- Signage to be approved as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that all landscaping material must be identified as recommended on the Southern Nevada Water Authority Regional Plant List; the installation and use of

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

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

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Quail Avenue, 30 feet for Mann Street, and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

#### **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 #0047-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ALL IN TENNIS ACADEMY LLC

**CONTACT:** ELIZABETH SOROKAC, REISMAN SOROKAC, 8965 S. EASTERN AVENUE, SUITE 382, LAS VEGAS, NV 89123

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

B

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>UC-23-0032</u>      DATE FILED: <u>1-24-23</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Spring Valley</u>      TAB/CAC DATE: <u>2-28-23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>3-22-23</u>      <u>R-E/AE-GO</u></p> <p>FEE: <u>\$1925.00</u>      <u>Neighborhood Commercial</u></p> <p style="text-align: right;"><u>MN</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Shiva Ganesh, LLC</u></p> <p>ADDRESS: <u>6480 W. Russell Road</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89118</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>All In Tennis Academy LLC</u></p> <p>ADDRESS: <u>457 Morro Strand Ave.</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89138</u></p> <p>TELEPHONE: <u>(702) 372-6024</u>      CELL: _____</p> <p>E-MAIL: <u>sschneidertennis@yahoo.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Elizabeth M. Sorokac, Esq.</u></p> <p>ADDRESS: <u>8965 S. Eastern Ave., Suite 382</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89123</u></p> <p>TELEPHONE: <u>(702) 727-6258</u>      CELL: <u>(702) 245-5075</u></p> <p>E-MAIL: <u>esorokac@rsnvlaw.com</u>      REF CONTACT ID #: _____</p>

**ASSESSOR'S PARCEL NUMBER(S):** 163-35-501-012

**PROPERTY ADDRESS and/or CROSS STREETS:** Northwest corner of Quail Avenue and Mann Street

**PROJECT DESCRIPTION:** Tennis facility for youth and adult instruction.

(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.

DHIRDZH JOSHI  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON: June 3, 2022 (DATE)

By Dhivresh Joshi

NOTARY PUBLIC: Lisa K Hermansen



**\*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.



Elizabeth M. Sorokac, Esq.

Email: [esorokac@rsnvlaw.com](mailto:esorokac@rsnvlaw.com)

8965 South Eastern Avenue, Suite 382

Las Vegas, Nevada 89123

Phone: (702) 727-6258

Cell: (702) 245-5075

Fax: (702) 446-6756

January 4, 2023

**Via Online Submission: <https://citizenaccess.clarkcountynv.gov/CitizenAccess/Login.aspx>**

Nancy Amundsen, Director

Clark County Department of Comprehensive Planning

500 South Grand Central Parkway

Las Vegas, Nevada 89106

***Re: Applications for a Special Use Permit, Waiver of Development Standards, Design Review and Vacation of a Patent Easement (collectively, the "Applications") for that certain real property located on the northwest corner of Quail and Mann, Las Vegas, Nevada 89118 with an APN of 163-35-501-012 ("Property")  
Justification Letter***

Dear Ms. Amundsen:

This office represents All In Tennis Academy, a Nevada limited liability company ("Applicant"), on the Applications referenced above. This is a request for a special use permit for a recreational facility, waiver of development standards, design review of a proposed tennis facility and vacation of a patent easement on the Property.

The Property is approximately 2.5 acres of land located in the southwest part of the valley within the Spring Valley land use plan area. The Property is vacant and is planned Neighborhood Commercial and zoned R-E. The property to the north currently has existing single-family homes and is planned Neighborhood Commercial and zoned R-E. The property to the east is vacant, is located across Mann Street (a sixty-foot (60') right-of-way), is planned Public Use and zoned R-E. The property to the south currently has existing single-family homes, is located across Quail Avenue (a sixty-foot (60') right-of-way), is planned Ranch Estate Neighborhood and zoned R-E.

The proposed project is for a tennis facility with a 3,016 square foot clubhouse and six (6) outdoor tennis courts. The project is a recreational facility that requires a special use permit. The clubhouse will contain a pro shop with accessory retail merchandise for sale, a coach's lounge and office space, a gym and restrooms. The tennis facility is for use by the public—it will not be a private club—and will offer instruction for both children and adults as well as court time for matches. The facility also intends to host local tournaments. The proposed hours of operation are 7am to 9pm. The tennis courts are oriented north/south, which is the preferred direction for outdoor courts due to sun patterns. In the preparation of the site for construction of the facility, the maximum fill is 2.79 feet, which complies with the code requirements.

There will be two types of lighting used for the facility as detailed in the photometric plan. There are five (5) lights proposed for the parking area that are 20 feet (20') tall and thirty-two (32) lights proposed for the tennis courts that are 22 feet (22') tall. The photometric plan depicts the proposed lighting plan for the parking area and tennis courts, with the closest tennis court lighting located more than forty feet (40') from the property line to the north—the nearest developed properties. All of the lighting will be downward facing in compliance with the Clark County code. Further the photometric plan was designed to minimize its impact on the surrounding properties.

The Property meets the parking requirements of the code. Thirty (30) spaces are required and thirty-seven (37) spaces are provided—an excess of seven (7) parking spaces. The instruction classes and court times will be staggered to further alleviate any parking issues with the tennis facility. The provided parking will meet the parking needs of the staff and clients coming to the facility.

Along all sides of the Property (north, south, east and west) ten feet (10') of landscaping is being provided. The landscaping on the north side will be an intense landscaping buffer due to the adjacency of the project to existing single family homes. The Applicant is requesting a waiver of the required curb return driveways and the off-site development requirements, including curb, gutter, sidewalk and lighting along both Quail Avenue and Mann Street. The justification for the request is based on the character of the area. The requested waivers will blend the project with the surrounding area where these types of improvements generally do not exist. The Applicant does intend to provide the full-width of required paving for both Quail Avenue and Mann Street, which will be dedicated public right-of-way.

The Applicant is also requesting additional waivers for the project:

1. a waiver of the 25-foot minimum throat depth for driveways. The driveway throat depths vary between 4 feet and 16 feet due to the configuration of the site.
2. A waiver of the approach distance for the southern driveway. The minimum is 150 feet and 111 feet is provided;

3. A waiver of the departure distance for the northern driveway. The minimum is 190 feet and 121 feet is provided. The waiver of the two driveway distances are justified as the Applicant's design with two driveways provides for better circulation and easier drop off and pick up from the facility clubhouse.

The design of the clubhouse is a modern aesthetic with attractive colors. The maximum height of the clubhouse is twenty-six feet (26'). The main colors of the clubhouse are browns, tans and white, with black and silver accents. The main materials for the clubhouse elevations are concrete, and hardie plank siding with tile, glass and metal accents. The trash enclosure is located near the clubhouse and is more than one hundred fifty feet (150') from northern property line. The tennis courts are surrounded and separated by chain link fencing. The majority of the fencing—on the exterior of the tennis courts—is ten feet (10') in height. Within the facility the chain link fence is six feet (6') in height in between the courts. The project is an appropriate use for and blends with the surrounding area. It is a much-needed, recreational facility for Clark County that will be a low-impact amenity for the community.

In conjunction with the development of the Property, the Applicant is requesting the vacation of the patent easement on the Property as depicted on the submitted patent vacation exhibit/site plan and more particularly defined in the legal description provided. The patent easement is 33 feet wide and runs along the entire length of the north, south, east and west Property lines. The portions of the patent easement depicted are no longer needed as public right-of-way (either existing or future right-of-way dedicated as part of the development of the Property) provides access to the Property. Further, the vacation of the patent easement on the Property will allow for improvements to be constructed in the areas that are currently within the patent easement area.

The Applicant respectfully requests the approval of the Applications. Please contact me at 702-727-6258 or 702-245-5075 or via email at [esorokac@rsnvlaw.com](mailto:esorokac@rsnvlaw.com) if you have any questions or need any additional information if you have any further questions.

Very Truly Yours,

REISMAN·SOROKAC



Elizabeth M. Sorokac, Esq.



14

EASEMENTS  
(TITLE 30)

QUAIL AVE/SANTA MARGARITA ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0037-DESERT RV & BOAT STORAGE, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Quail Avenue and Oquendo Road, and between Rainbow Boulevard and Santa Margarita Street (alignment) within Spring Valley (description on file). MN/gc/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-35-101-009

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide government patent easements along the south and west property lines, and 8 foot wide government patent easements along the north and east property lines. The applicant states that these government patent easements are not needed for development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-19-0469	Reclassified the site from R-E to C-1 zoning for future development	Approved by BCC	September 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-E	Undeveloped & power substation
South	Neighborhood Commercial	C-P	Office building
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped (approved for a place of worship)
West	Corridor Mixed-Use	C-1	Undeveloped & communication tower

### Related Applications

Application Number	Request
UC-23-0036	Use permit for a mini-warehouse facility with waivers of development standards and design reviews is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Public Works - Development Review

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

##### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive 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 25 feet to the back of curb for Quail Avenue, 25 feet to the back of curb for Santa Margarita Street, and associated spandrels;
- 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**

- 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)**

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DANIEL FOGG

**CONTACT:** DANIEL FOGG, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

14

<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>	APP. NUMBER: <u>VS-23-0037</u> DATE FILED: <u>1-24-23</u>
		PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>2-28-23</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>3-22-23</u> FEE: <u>875</u>

<b>PROPERTY OWNER</b>	NAME: <u>DESERT RV AND BOAT STORAGE LLC</u>
	ADDRESS: <u>4700 Copper Sage St.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u>
	TELEPHONE: _____      CELL: <u>702-787-7189</u>
	E-MAIL: <u>travismcd@aztechmaterials.com</u>

<b>APPLICANT</b>	NAME: <u>DAN FOGG - LR NELSON</u>
	ADDRESS: <u>6765 W RUSSELL ROAD SUITE 200</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.798.7978</u> CELL: _____
	E-MAIL: <u>DANIEL.FOGG@LRNENG.COM</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>DAN FOGG/LR NELSON CONSULTING ENGINEERS</u>
	ADDRESS: <u>6765 W RUSSELL ROAD SUITE 200</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.798.7978</u> CELL: _____
	E-MAIL: <u>DANIEL.FOGG@LRNENG.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-35-101-009

PROPERTY ADDRESS and/or CROSS STREETS: SANTA MARGARITA STREET AND W QUAIL 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.

[Signature]  
Property Owner (Signature)\*

[Print Name]  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON July 3, 2023 (DATE)  
By [Signature]  
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.

2777-001-222

August 25, 2022

Department of Comprehensive Planning  
Development Review  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

Reference: Vacation of Patent Easement Justification Letter for APN#  
163-35-101-009

Dear Staff:

On behalf of our client, we are pleased to provide information regarding a Vacation request for the above-mentioned parcel number, which is located on the southwest corner of Santa Margarita Street and Quail Avenue.

We are proposing to vacate patent easement (#1187260) across the parcel that was granted per the Bureau of Land Management (Nevada Document 038346). Additionally, this patent easement was recorded in Official Records as Book 222, Instrument No. 180532 at the Clark County Recorder's Office. This patent easement is not needed. Public R.O.W adjacent to the site will be dedicated as part of the improvement plan process for the development.

We feel that this development and the proposed vacation are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this patent easement vacation. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Daniel Fogg, P.E.  
Project Manager

LARRY R. NELSON, P.E.  
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

NEVADA

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Phone 702/798-7978  
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UTAH

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Email lnengineers@lnslc.com

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03/22/23 BCC AGENDA SHEET

MINI-WAREHOUSE  
(TITLE 30)

QUAIL AVE/SANTA MARGARITA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0036-DESERT RV & BOAT STORAGE, LLC:**

**USE PERMIT** for a mini-warehouse facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) reduce driveway approach distance.

**DESIGN REVIEWS** for the following: 1) mini-warehouse facility; 2) alternative parking lot landscaping; and 3) finished grade on 2.5 acres in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the southwest corner of Quail Avenue and Santa Margarita Street (alignment) within Spring Valley. MN/gc/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-35-101-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 38 feet where a maximum of 35 feet is permitted per Table 30.40-4 (an 8.6% increase).
2. Reduce the approach distance between a driveway along Quail Avenue and an intersection to 1 foot where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 99.3% reduction).

**DESIGN REVIEWS:**

1. A mini-warehouse facility.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 63 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 75% increase).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A

- Site Acreage: 2.5
- Project Type: Mini-warehouse facility
- Number of Stories: 3
- Building Height (feet): Up to 38
- Square Feet: 112,200
- Parking Required/Provided: 5/5

#### Site Plans

The plans show a mini-warehouse facility consisting of 6 buildings. The main building (Building A) is centrally located on the site with 5 smaller buildings (Buildings B-F) located on the perimeter of the site along the west, south, and east property lines. Primary access to the site is from the westernmost driveway along Quail Avenue. Once beyond the gated entrance to the facility, vehicular circulation on the site is one-way in a counter-clockwise direction on a 30 to 34 foot wide drive aisle with egress points at the easternmost driveway along Quail Avenue and a driveway along Santa Margarita Street. The easternmost driveway along Quail Avenue has an approach distance of 1 foot from the intersection of Quail Avenue and Santa Margarita Street, and can be used for fire access also in addition to being an egress only driveway for customers. A total of 5 parking spaces are provided where a minimum of 5 spaces are required. The building walls in combination with 6 foot high, split face block walls act as perimeter walls for the site.

#### Landscaping

Street landscaping consists of a 15 foot wide landscape area with detached sidewalks along Quail Avenue and Santa Margarita Street. The landscape palette consists of Shoestring Acacia, Chinese Pistache, and Desert Museum Palo Verde trees along with various shrubs and groundcover. Alternative parking lot landscaping is being requested since the south side of the eastern parking row does not terminate with a landscape island as required per Figure 30.64-14.

#### Elevations

The plans depict the main building (Building A) as a 3 story, 38 foot high, mini-warehouse building with storage units that can be accessed from both the exterior and interior of the building. Buildings B through F are 1 story, 12 feet high, mini-warehouse buildings with storage units accessed from the exterior. Building materials consist of stucco finish, CMU block, decorative metal panels, metal cornice trim, overhead roll-up doors, and aluminum storefront systems. The roofs are flat with parapet walls at varying heights.

#### Floor Plans

Building A is 94,500 square feet and consists of an office area at the northwest corner of the building and storage units. Building B is 4,500 square feet, Buildings C & D are each 3,900 square feet, and Buildings E & F are each 2,700 square feet and all consist of storage units.

#### Signage

Signage is not a part of this request.



Applicant's Justification

The applicant states the increased building height is necessary to accommodate an elevator penthouse for elevator equipment. A landscape island cannot be provided at the southern end of the eastern parking row in order to allow a walkway from the right-of-way to the office, and from the office to the pedestrian gate into the facility. Additional trees have been planted elsewhere. Furthermore, the applicant states that increased finished grade is necessary to provide adequate flood protection to the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-19-0469	Reclassified the site from R-E to C-1 zoning for future development	Approved by BCC	September 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-E	Undeveloped & power substation
South	Neighborhood Commercial	C-P	Office building
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped (approved for a place of worship)
West	Corridor Mixed-Use	C-1	Undeveloped & communication towers

**Related Applications**

Application Number	Request
VS-23-0037	A request to vacate and abandon government 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  
Comprehensive Planning  
Use Permit**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Staff finds that the proposed mini-warehouse use will not adversely impact the surrounding area. The properties to the south, west, and north are zoned and/or planned for commercial uses. The undeveloped property to the east, although planned for Ranch Estate Neighborhood use, is approved for a place of worship. Therefore, staff can support the proposed 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 request for increased building height. The majority of the main building is at or below the maximum 35 feet height allowed, only a small portion of the building being the elevator penthouse exceeds the maximum height allowed. Also, the elevator penthouse is located on the west side of the building, well within the interior of the site.

### Design Reviews #1 & #2

Staff finds the proposed mini-warehouse facility complies with CMA Design Overlay District requirements and is compatible with the surrounding area. Furthermore, the buildings utilize 4 sided architecture to improve the visual quality from all sides of the property. The request complies with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses in terms of height, scale, and the overall mix of uses. Staff can also support the request for alternative parking lot landscaping as the missing landscape island is mitigated by providing an additional tree adjacent to the western parking row. Furthermore, the proposed 3 story building will substantially shade the eastern parking row with the missing tree during a large portion of the day.

### **Public Works – Development Review**

#### Waiver of Development Standards #2

Staff has no objection to the reduction in the approach distance for the easternmost driveway on Quail Avenue. The driveway will serve as an exit only driveway for a low intensity project.

#### Design Review #3

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

### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive 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**

- 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;
- Right-of-way dedication to include 25 feet to the back of curb for Quail Avenue, 25 feet to the back of curb for Santa Margarita Street, and associated spandrels.
- 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**

- 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 #0048-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** DANIEL FOGG

**CONTACT:** DANIEL FOGG, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0036</u> DATE FILED: <u>1-24-23</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>2-28-23</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>3-22-23</u> FEE: <u>\$1,825</u>
	<b>PROPERTY OWNER</b>  NAME: <u>DESERT RV AND BOAT STORAGE LLC</u> ADDRESS: <u>4700 Copper Sage St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u> TELEPHONE: _____      CELL: <u>702-787-7189</u> E-MAIL: <u>travismcd@aztechmaterials.com</u>
	<b>APPLICANT</b>  NAME: <u>DAN FOGG/LR NELSON</u> ADDRESS: <u>6765 W RUSSELL ROAD #200</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.798.7978</u> CELL: _____ E-MAIL: <u>DANIEL.FOGG@LRNENG.COM</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>DAN FOGG/ LR NELSON CONSULTING ENGINEERS</u> ADDRESS: <u>6765 W RUSSELL ROAD SUITE 200</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.798.7978</u> CELL: _____ E-MAIL: <u>DAN.FOGG@LRNENG.COM</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-35-101-009

PROPERTY ADDRESS and/or CROSS STREETS: SANTA MARGARITA STREET AND W QUAIL AVE

PROJECT DESCRIPTION: SELF STORAGE FACILITY

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

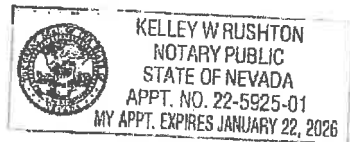
Property Owner (Signature)\*  
[Signature]

Property Owner (Print)  
Travis McDonough

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 3, 2023 (DATE)

By Travis McDonough  
NOTARY PUBLIC: Kelley W Rushton



\*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.

2777-001-212

January 10, 2023

Department of Comprehensive Planning  
Development Review  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

**Reference: Justification Letter for Use Permit, Design Review and Waiver of Standards for Guardian Self Storage at the SWC of Quail Avenue and Santa Margarita Street - APN# 163-35-101-009**

On behalf of our client, we are pleased to provide this justification letter for a Use Permit, Design Review and Waiver of Standards for the above-mentioned project, which is located on the southwest corner of Quail Avenue and Santa Margarita Street.

We are requesting a Use Permit, Waiver of Standards; and a Design Review for Fill for a Self-Storage Facility in the C-1 zoning; The project site is approximately 2.5 (gross) acres and the Assessor's Parcel Number is 163-35-101-009.

The proposed project will be developed as a self-storage facility with six (6) separate buildings. Five (5) of the buildings will be single story with a maximum height 12' and a 3-story building with a maximum height of 38'.

We are requesting a Design Review for Fill as the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Quail and Santa Margarita to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 5.23' (62.76") which is an increase over the 36" of 2.23' (26.76").

The development is requesting a waiver of development standards to allow the elevator penthouse at 38' which is slightly higher than the allowed height of 35'. The maximum roof parapet elevation is 35'. The explanation for this is as follows:

Elevators require additional height in order for the equipment to fit within the elevator shaft serving the upper-most floor of the structure. This varies by manufacturer, but the specified elevator for this project requires about 17 feet above the third floor to account for equipment, hoist beams required by OSHA, and the roof construction. The elevator itself is a requirement to comply with ADA and building functions. This is within the allowable 10% height increase from our zoning maximum of 35 feet. The maximum height allowed is 38' - 6". The top of the elevator shaft will be at 38' above grade.

LARRY R. NELSON, P.E.  
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

**NEVADA**

L.R. NELSON  
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Phone 702/798-7978  
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**UTAH**

L.R. NELSON  
CONSULTING ENGINEERS, LLC

51 West 9000 South  
Sandy, UT 84070-2008

Phone 801/565-8580  
FAX 801/565-8340  
Email lmenr@lmenr.com

We are also requesting a waiver of development standards regarding the 150' minimum approach side driveway geometrics of CCAUSD No. 222.1. We are proposing a driveway that will have essentially zero approach distance (1.5' actually) to the intersection of Quail Avenue and Santa Margarita Street and would be within the 150' approach side distance to another driveway for the facility on West Quail Avenue. This driveway will be egress only for tenants and can be used for access for the Fire Department.

We are requesting design review for Alternative Parking Lot Landscaping. Chapter 30.64 Figure 30.64-14 requires a landscape finger at each end of parking rows. The parking near the office requires a sidewalk from the right-of-way for ADA access and a sidewalk from the office to the pedestrian gate. This does not allow for the required tree at each end. To address the issue additional large and medium trees have been added on the perimeter of Quail and Santa Margarita and these exceed the required number.

We feel that this development and the proposed Design Review, Use Permit and Waiver of Standards are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this development. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.  
Vice President/Civil Department Manager

CLN/jd

