



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

May 11, 2021

6:30pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- 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 and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to mds@clarkcountynv.gov, before 04:30 pm, May 11, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

Board/Council Members: Yvette Williams, Chair
Rodney Bell
Brian A. Morris

Catherine Godges, Vice Chair
John Getter

Secretary: Carmen Hayes, 702-371-7991 chayes70@yahoo.com

County Liaison(s): Mike Shannon 702-455-8338 mds@clarkcountynv.gov

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.

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to mds@clarkcountynv.gov, before 04:30 pm, on May 11, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for April 27, 2021. (For possible action)
- IV. Approval of the Agenda for May 11, 2021 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)

VI. Planning and Zoning

- 1. **ET-21-400056 (UC-18-0955)-SPIRITUAL ASSEMBLY OF THE BAHAI'S OF SPRING VALLEY:**
USE PERMIT FIRST EXTENSION OF TIME to commence a proposed place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow modified street standards; and **2)** allow modified driveway design standards.
DESIGN REVIEW for a proposed place of worship on 1.9 acres in an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Patrick Lane and Jones Boulevard within Spring Valley. MN/jgh/jo (For possible action)
06/01/21 PC
- 2. **NZC-21-0166-SRISURO CHOTCHAI & SUTHANYA & ROJANASATHIT SOMKIETR & CHINDA:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.
USE PERMITS for the following: **1)** reduce the separation from a convenience store to a residential use (multiple family); **2)** reduce the setback from a gasoline station (fuel canopy) to a residential use (multiple family); and **3)** reduce the setback from a vehicle wash (automobile) to a residential use (multiple family).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow modified driveway design standards; and **2)** allow alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** restaurant buildings with drive-thru lanes; **2)** retail buildings; **3)** tavern; **4)** convenience store; **5)** vehicle wash; **6)** gasoline station; **7)** vehicle maintenance (smog check); **8)** alternative parking lot landscaping; and **9)** finished grade in the CMA Design Overlay District. Generally located on the west side of Buffalo Drive and the north side of Badura Avenue within Spring Valley (description on file). MN/md/jd (For possible action)
06/01/21 PC

3. **VS-21-0177-DURANGO 5, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Bonita Vista Street (alignment) and between Patrick Lane and Oquendo Road and a portion of right-of-way being Durango Drive (driveway) located between Oquendo Road and Patrick Lane within Spring Valley (description on file). JJ/jor/jo (For possible action) **06/01/21 PC**

4. **UC-21-0176-DURANGO 5, LLC:**
USE PERMIT to allow alcohol sales, liquor – packaged only (a liquor store) not in conjunction with a grocery store in conjunction with a commercial complex on 1.8 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the west side of Durango Drive, 308 feet north of Patrick Lane within Spring Valley. JJ/jor/jo (For possible action) **06/01/21 PC**

5. **WS-21-0171-GREYSTONE NEVADA, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for alternative residential driveway geometrics. **DESIGN REVIEW** for single family model homes on 2.4 acres in an R-E (Rural Estates Residential)(RNP-I)(AE-60) Zone. Generally located on the south side of Ponderosa Way, 280 feet east of Lindell Road (alignment) within Spring Valley. MN/md/jo (For possible action) **06/01/21 PC**

6. **ZC-21-0167-WW & JJ CHOI, LLC:**
ZONE CHANGE to reclassify 0.4 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to a C-2 (General Commercial) Zone.
USE PERMITS for the following: **1)** tire sales and installation; and **2)** reduced separation. Generally located on the west side of Decatur Boulevard, 170 feet north of Reno Avenue within Spring Valley (description on file). MN/nr/jo (For possible action) **06/02/21 BCC**

VII. General Business

1. Discuss the current phase of the Transform Clark County Master Plan & Development Code rewrite process, focusing on the draft Area-Specific Policies and consolidated Land Use Categories. Clark County is seeking assistance from Town Advisory Boards (TABs) and Citizen Advisory Councils (CACs), and community-members in different parts of the County to help review and provide input on the portions of the draft materials that pertain to their Planning Areas and local communities. This is your opportunity to provide feedback to the County on the process and to ensure the updated Master Plan reflects what’s important to your community. (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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to mds@clarkcountynv.gov, before 04:30 pm, May 11, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: May 25, 2021.

X. Adjournment.

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

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

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<https://notice.nv.gov>



Spring Valley Town Advisory Board

April 27, 2021

MINUTES

Board Members: Yvette Williams, Chair - PRESENT Catherine Godges, Vice Chair - PRESENT
Rodney Bell - PRESENT John Getter - PRESENT
Brian A. Morris - PRESENT

Secretary: Carmen Hayes, 702 371-7991, chayes@yahoo.com PRESENT

County Liaison: Brandon Munson PRESENT Mike Shannon 702-455-8338 mds@clarkcountynv.gov _EXCUSED

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

Yvette Williams called the meeting to order at 6:30 pm
Jared Tasko, Current Planner

II. Public Comment

- None

III. Approval of **April 13, 2021** Minutes

Motion by: **Catherine Godges, Yvette Williams Abstai.**
Action: **APPROVE** as published.
Vote: **PASSED 4/0 Unanimous**

I. Approval of Agenda for **April 27, 2021** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **Catherine Godges**
Action: **Approved as amended**
Vote: **5/0 Unanimous**

IV. Informational Items

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

The Regional Transportation Commission (RTC) is seeking input to improve streets for people walking and rolling. You are invited to join one or more of the upcoming virtual walk audits scheduled throughout May, which are part of the RTC Regional Walkability Plan. Participants document pedestrian barriers and issues as well as identify potential solutions and improvements.

These events are being held virtually and are very interactive ways to provide thoughts and concerns in various areas of the valley to improve the pedestrian environment.

There are six sessions around the valley:

Clark County - Thursday, May 6, 6-7pm
Boulder City - Monday, May 10, 6-7pm
Henderson - Tuesday, May 11, 6-7pm
North Las Vegas - Thursday, May 13, 5:30-6:30pm
Las Vegas - Monday, May 17, 5:30-6:30pm
Mesquite - Tuesday, May 18, 5:30-6:30pm

Please register here: <https://www.surveymonkey.com/r/NVWalkability>

Yvette Williams announced that she was acknowledge by Commissioner Jones office, for Women History Month and she also thank Spring Valley Town Board for all hard work they have down for Spring Valley Town Board Meeting.

Yvette Williams, informed the Spring Valley Town Board about Fix Clark County. This program will handle any violation in the county and etc. within 48 hour time frame.

1. **TM-21-500033-SIF BRASS SW PREMIER INDUSTRIAL CENTER, LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 9.4 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Oquendo Road and the east side of Edmond Street within Spring Valley. MN/bb/jd (For possible action) **05/04/21 PC**

Motion by: **Rodney Bell**
Action: **Approve as presented.**
Vote: **5/0 Unanimous**

2. **ET-21-400045 (ZC-18-0348)-GERBER FAMILY TRUST ETAL & GERBER JASON MICHAEL TRS:**
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduced setbacks; and 2) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) a proposed warehouse/office complex with outside storage yards; and 2) proposed lighting (previously not notified) on 5.0 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the south side of Badura Avenue (alignment), 980 feet east of Buffalo Drive within Spring Valley. MN/sd/jo (For possible action) **05/05/21 BCC**

Motion by: **Brian Morris**
Action: **Approve per staff conditions.**
Vote: **5/0 Unanimous**

3. **UC-21-0141-UTE INDIAN TRIBE:**
USE PERMIT for vehicle maintenance service bay doors facing the street.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced landscaping; and 2) alternative driveway geometrics.
DESIGN REVIEW for an in-line commercial development on 2.1 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Rainbow Boulevard, 330 feet south of Oquendo Road within Spring Valley. MN/nr/jd (For possible action) **05/18/21 PC**

Motion by: **John Getter**
Action: **Approve per staff conditions.**
Vote: **3/2 NAY – GODGES AND WILLIAMS**

4. **UC-21-0151-APACHE 3, LLC:**
USE PERMITS for the following: **1)** reduced separation; and **2)** eliminate the pedestrian access area.
DESIGN REVIEW for a proposed outside dining and drinking area in conjunction with an existing restaurant within an existing shopping center on a portion of 4.0 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the south side of Reno Avenue and the west side of Fort Apache Road within Spring Valley. JJ/jor/jo (For possible action) **05/18/21 PC**
- Motion by: **John Getter**
Action: **Approve per staff conditions.**
ADDED Condition: No outdoor speakers and no outdoor live entertainment.
Vote: **5/0 Unanimous**
5. **VS-21-0148-EDMOND RUSSELL TRIANGLE, LLC:**
VACATE AND ABANDON easement of interest to Clark County located between Edmond Street and Decatur Boulevard and between Russell Road and Oquendo Road within Spring Valley (description on file). MN/sd/jd (For possible action) **05/18/21 PC**
- Motion by: **Rodney Bell**
Action: **Approve as presented.**
Vote: **5/0 Unanimous**
6. **WS-21-0153-JOHNSON, RICKEY L. LIVING TRUST, ET AL:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks; and **2)** allow alternative screening in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northwest corner of Monte Cristo Way and Coley Avenue within Spring Valley. JJ/jor/jd (For possible action) **05/18/21 PC**
- Motion by: **Yvette Williams**
Action: **Approve per staff conditions.**
Vote: **5/0 Unanimous**
7. **UC-21-0145-UNLV RESEARCH FOUNDATION:**
USE PERMIT for offices as a principal use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** building orientation; **2)** eliminate cross access; and **3)** allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** office building; **2)** alternative parking lot landscaping; and **3)** finished grade on 9.8 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the south side of Post Road, 350 feet west of Jim Rogers Way within Spring Valley. MN/md/jd (For possible action) **05/19/21 BCC**
- Motion by: **Brian Morris**
Action: **Approve subject to staff conditions.**
Vote: **5/0 Unanimous**
8. **AG-21-900157:** Receive a report on the Clark County Stadium District Plan. (For possible action) **06/01/21 PC** The TAB members received the report and provided comments about the need to create a catalyst to draw people to the District on on-event days at the stadium when the Strip (entertainment capital of the world) is so close by, and concerns over traffic and road improvements in the area.

VII General Business

1. Discuss the current phase of the Transform Clark County Master Plan & Development Code rewrite process, focusing on the draft Area-Specific Policies and consolidated Land Use Categories. Clark County is seeking assistance from Town Advisory Boards (TABs) and Citizen Advisory Councils (CACs), and community-members in different parts of the County to help review and provide input on the portions of the draft materials that pertain to their Planning Areas and local communities. This is your opportunity to provide feedback to the County on the process and to ensure the updated Master Plan reflects what's important to your community. (For Discussion only)

Yvette Williams, requested that we discuss and have idea for the next Town Board Meeting for Clark County Master Plan and Development.

- 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.

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- None.

IX. Next Meeting Date

The next regular meeting will be May 11, 2021 at 6:30pm

X Adjournment

Motion by Yvette Williams

Action: Adjourn

Vote: 5-0 / Unanimous

The meeting was adjourned at 8:59 p.m.

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

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Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<https://notice.nv.gov/>

06/01/21 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

PATRICK LN/JONES BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400056 (UC-18-0955)-SPIRITUAL ASSEMBLY OF THE BAHAI'S OF SPRING VALLEY:

USE PERMIT FIRST EXTENSION OF TIME to commence a proposed place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified street standards; and 2) allow modified driveway design standards.

DESIGN REVIEW for a proposed place of worship on 1.9 acres in an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Patrick Lane and Jones Boulevard within Spring Valley. MN/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

163-36-301-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the driveway departure distance (driveway off-set) from Jones Boulevard for a driveway along Patrick Lane to 144 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 24.2% reduction).
2.
 - a. Reduce throat depth for a commercial driveway along Patrick Lane to 19 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 74.7% reduction).
 - b. Reduce throat depth for a commercial driveway along Jones Boulevard to 25 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 66.7% reduction).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 10,769

- Parking Required/Provided: 108/108

Site Plans

The previously approved plans depict a proposed 1 story place of worship consisting of 10,769 square feet. The place of worship is set back 80 feet from the west and south property lines, 73 feet from the east property line, and 92 feet from the north property line. The proposed place of worship is centrally located within the project site. A proposed 5 foot wide detached sidewalk is located along Jones Boulevard and Patrick Lane, and a 5 foot wide pedestrian walkway connects the place of worship to the detached sidewalks. A 5 foot wide pedestrian walkway is also located around the perimeter of the place of worship. The required trash enclosure is located at the southeast corner of the property. The required bicycle parking spaces are located along the west side of the place of worship, near the building's entrance. The project requires 108 parking spaces where 108 spaces are provided. Access to the project site is granted via proposed commercial driveways located along Jones Boulevard and Patrick Lane.

Landscaping

The previously approved revised plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along Jones Boulevard and Patrick Lane. Twenty-four inch to 36 inch box trees are proposed within the landscape area along the street frontage. A 10 foot wide intense landscape buffer, with 24 inch box large Mondell Pine trees, is proposed along the east property line. A 15 foot wide intense landscape buffer, with 24 inch box large Mondell Pine trees, is proposed along the south property line. A 6 foot high decorative block wall is also proposed along the east and south property lines. Interior parking lot landscaping is equitably distributed throughout the project site.

Elevations

The previously approved plans depict an overall height of the place of worship ranging between 18.5 feet to 35 feet, the highest point being the ornamental spire and dome. Parapet walls of varying heights are depicted on all building elevations. A singular dome is featured on the north and west elevations of the building and is located directly above the entrance to the place of worship. The place of worship features an EIFS exterior and includes windows on all elevations.

Floor Plans

The previously approved plans depict a 10,769 square foot place of worship featuring an auditorium, vestibule, lobby, multiple offices, lecture hall, kitchen, storage and utility rooms, and restroom facilities.

Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0955:

Current Planning

- 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; 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;
- Full off-site improvements;
- Right-of-way dedication to include the corner spandrel.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way to back of curb 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. 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;
- 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.

Building Department - Fire Prevention

- Applicant is advised that Fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that fire protection may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

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 #0684-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that an extension of time is needed because the previously approved application has expired. The applicant has been diligently working to move forward with the project and has progressed with civil plan submittals, but has experienced delays in determining a solution for sewer; therefore, an extension of time is needed.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0955	Proposed place of worship and modified street and driveway design standards	Approved by PC	February 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Place of worship
South	Office Professional	R-E	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Undeveloped
West	Public Facilities	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff finds that the applicant has been making progress toward completion of this project as drainage studies and off-site permits have been submitted; therefore, can support the extension of time.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until February 5, 2023 to commence.
- 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.

Building Department - Fire Prevention

- No comment

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTEST:**

APPLICANT: RUSTAM ROOHANI

CONTACT: PHILIP WAKEFIELD, BLUE DIAMOND CIVIL ENGINEERING, 9816 GILESPIE ST, BUILDING E. STE 120, LAS VEGAS, NV 89183



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input 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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-18-0955 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-21-400056</u> DATE FILED: <u>4/5/21</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>5/11/21</u> PC MEETING DATE: <u>6/1/21</u> <u>6pm</u> <u>6:30pm</u> BCC MEETING DATE: _____ FEE: <u>\$900</u>
	PROPERTY OWNER NAME: <u>SPIRITUAL ASSEMBLY OF THE BAHAI'S OF SPR</u> ADDRESS: <u>9508 S BREWING CLOUD AVE</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 496-4555</u> CELL: _____ E-MAIL: <u>rroohani@aol.com</u>
	APPLICANT NAME: <u>RUSTAM ROOHANI</u> ADDRESS: <u>3160 ROSANNA</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>(702) 496-4555</u> CELL: _____ E-MAIL: <u>rroohani@aol.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Blue Diamond Civil Engineering</u> ADDRESS: <u>9816 Gilesple Street, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.478.8580</u> CELL: _____ E-MAIL: <u>pwakefield@bdce-lv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-301-001

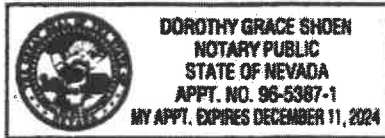
PROPERTY ADDRESS and/or CROSS STREETS: Jones and Patrick

PROJECT DESCRIPTION: Extension of Time for 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.

Property Owner (Signature) [Signature] Property Owner (Print) Spiritual Assembly of Bahais of Spring Valley

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 3/1/21 (DATE)
 By Rustam Roohani
 NOTARY PUBLIC: Dorothy Grace Shoen



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



**PLANNER
COPY**

ET-21-410056

March 31, 2021

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

**Re: SPIRITUAL ASSEMBLY OF THE BAHAI'S OF SPRING VALLEY
Justification Letter for Extension of Time – UC-18-0955**

Blue Diamond Civil Engineering, on behalf of our client, is respectfully requesting an Extension of Time for UC-18-0955 associated with the above project. The application was initially approved on February 05, 2019. An extension is being applied for since the application has expired.

We have been diligently moving forward on this project and have progressed with civil plan submittals but have experienced delays in determining a solution for sewer. Several options have been assessed and now the project has a clear path for sewer. The developer is seeking additional time for the project and intends to start construction in the near future.

We are hopeful that this letter justifies the intent of the proposed extension of time. If you should require any additional information please feel free to contact our office.

Sincerely,

Blue Diamond Civil Engineering

Angela Baca

Angela Baca
Project Coordinator

Blue Diamond Civil Engineering
9816 Gillespie Street, Suite 120, Las Vegas, NV 89183
(702) 478-8580

2

06/01/21 PC AGENDA SHEET

COMMERCIAL COMPLEX
(TITLE 30)

BADURA AVE/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0166-SRISURO CHOTCHAI & SUTHANYA & ROJANASATHIT SOMKIETR & CHINDA:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.

USE PERMITS for the following: 1) reduce the separation from a convenience store to a residential use (multiple family); 2) reduce the setback from a gasoline station (fuel canopy) to a residential use (multiple family); and 3) reduce the setback from a vehicle wash (automobile) to a residential use (multiple family).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway design standards; and 2) allow alternative driveway geometries.

DESIGN REVIEWS for the following: 1) restaurant buildings with drive-thru lanes; 2) retail buildings; 3) tavern; 4) convenience store; 5) vehicle wash; 6) gasoline station; 7) vehicle maintenance (smog check); 8) alternative parking lot landscaping; and 9) finished grade in the CMA Design Overlay District.

Generally located on the west side of Buffalo Drive and the north side of Badura Avenue within Spring Valley (description on file). MN/md/jd (For possible action)

RELATED INFORMATION:

APN:
176-04-701-008

USE PERMITS:

1. Reduce the separation from a convenience store to a residential use (multiple family) to 165 feet where a minimum of 200 feet is required per Table 30.44-1 (a 17.5% reduction).
2. Reduce the setback from a gasoline station (fuel canopy) to a residential use (multiple family) to 135 feet where a minimum of 200 feet is required per Table 30.44-1 (a 32.5% reduction).
3. Reduce the setback from a vehicle wash to a residential use (multiple family) to 133 feet where a minimum of 200 feet is required per Table 30.44-1 (a 33.5% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce throat depth to 9 feet where a minimum of 100 feet is required (Badura Avenue) per Uniform Standard Drawing 222.1 (a 91% reduction).
 - b. Reduce throat depth to 16 feet where a minimum of 100 feet is required (Buffalo Drive) per Uniform Standard Drawing 222.1 (an 84% reduction).

- c. Reduce throat depth to 22 feet where a minimum of 100 feet is required (Maul Avenue) per Uniform Standard Drawing 222.1 (a 68% reduction).
2. a. Reduce the driveway departure distance (driveway off-set) from Maul Avenue for a driveway along Buffalo Drive to 99 feet where a departure distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 47.9% reduction)
- b. Reduce the driveway departure distance (driveway off-set) from Buffalo Drive for a driveway along Badura Avenue to 181 feet where a departure distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 4.8% reduction).

DESIGN REVIEWS:

1. Restaurant buildings with drive-thru lanes.
2. Retail buildings.
3. Tavern.
4. Convenience store.
5. Vehicle wash (automobile).
6. Gasoline station (fuel canopy).
7. Vehicle maintenance (smog check).
8. Alternative parking lot landscaping.
9. Increase finished grade to 60 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 234% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Commercial complex
- Number of Stories: 1
- Building Height (feet): 25 (retail 1/tavern)/23 (retail 2 and 3)/23 (retail 4)/26 (convenience store and vehicle wash)/ 23 (fuel canopy)
- Square Feet: 9,200 (retail 1)/5,300 (tavern)/2,600 (retail 2)/4,300 (retail 3)/4,800 (retail 4)/4,000 (convenience store)/1,300 (vehicle wash)/4,280 (fuel canopy)
- Parking Required/Provided: 158/162

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 5 acres from an R-E zone to a C-2 zone to permit a commercial development with 2 restaurants with drive-thru lanes, retail buildings, tavern, convenience store, vehicle wash (automobile), and a gasoline station (fuel canopy). The applicant conducted a neighborhood meeting on February 16, 2021, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Four persons attended the meeting expressing concerns with the existing Buffalo Drive and Badura Avenue intersection. The attendees did not offer any objections to the proposed development.

Site Plans

The plans depict a proposed development consisting of 2 restaurants and retail buildings with drive-thru lanes (Retail 2 and Retail 3), 2 retail buildings (Retail 1 and Retail 4), a tavern, convenience store with vehicle wash (automobile), and a gasoline station (fueling canopy). The first restaurant building (Retail 3) is located at the northeast corner of the site, and the second restaurant building (Retail 2), is centrally located within the site with a setback of 43 feet from the east property line adjacent to Buffalo Drive. Both restaurants feature a single, 12 foot wide drive-thru lane. The drive-thru for Retail 3 is located along the east portion of the building and circulates around the north and west sides of the restaurant. The drive-thru lane for Retail 2 features a dual drive-thru lane, measuring 12 feet in width for each lane transitioning into a single, 12 foot wide aisle circulating around the south and east sides of the building. A retail building (Retail 1) and a tavern are located on the western portion of the project site. Retail 4 is located at the northwest corner of the site, along Maule Avenue. The convenience store with vehicle wash, and the gasoline station (fuel canopy) are located at the southwest and southeast corners of the project site, respectively. A smog check station is located immediately south of the vehicle wash. All smog testing equipment will be stored within an enclosed building. A use permit is necessary to reduce the separation between the convenience store, vehicle wash, and gasoline station from the multiple family development to the south, across Badura Avenue. A design review is requested to permit an increase in fill at the northeast corner of the convenience store, the north portion of Retail 1, and Retail 2. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site.

Building:	Property Line			
	North	East	South	West
Tavern and Retail 1	145	228	228.5	6
Retail 2 (Drive-thru restaurant)	319.5	43	241	183
Retail 3 (Drive-thru restaurant)	31	41	528	175
Retail 4	15.5	236	528	6
Convenience store and vehicle wash	434	150	63	72.5
Gasoline station (fuel canopy)	421	50	65	196

Access to the development is granted via a single commercial driveway along Maule Avenue, 2 commercial driveways along Buffalo Drive, and 1 commercial driveway along Badura Avenue. The proposed throat depth of the driveways necessitates a waiver of development standards request. A second waiver is requested for the departure distances from the intersection of Maule Avenue and Buffalo Drive, and Badura Avenue and Buffalo Drive. Future cross-access is provided at the southwest corner of the proposed development. The commercial buildings are interconnected through a series of 5 foot wide pedestrian walkways. Additionally, 5 foot wide pedestrian walkways connect the commercial buildings to the attached sidewalk along Maule Avenue and the detached sidewalks along Buffalo Drive and Badura Avenue. The proposed development requires 158 parking spaces where 162 spaces are provided.

Landscaping

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is located along Buffalo Drive. A 10 foot wide intense landscape buffer, including a 5 foot wide attached sidewalk, is located at the northeast corner of the site, adjacent to the drive-thru lane located along Maule Avenue. A 6 foot wide landscape area, including a 5 foot wide attached sidewalk, is located at the northwest corner of the project site. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is located adjacent to Badura Avenue. A design review to permit alternative parking lot landscaping in lieu of the required number of landscape finger islands is required. Twenty-seven trees are required within the interior of the parking lot where 40 large canopy trees have been provided and, as part of this review, diamond planters are proposed within the parking lot. The diamond planters are located along the east side of retail 1 and the tavern, and within the central and northern portion of the project site.

Elevations

The plans depict 2 proposed retail and restaurant buildings (Retail 2 and Retail 3) with a maximum height of 23 feet to the top of the parapet wall. Varying rooflines have been incorporated into the design of the buildings. The restaurant buildings feature a stucco exterior, an aluminum storefront window system, with a decorative metal trellis located above the entrance to each building. The plans for Retail 4 depict a maximum height of 23 feet to the top of the parapet wall. Varying rooflines have been incorporated into the design of the buildings. The building features a stucco exterior, an aluminum storefront window system, with a decorative metal trellis located above the entrance to the building. The plans for Retail 1 and the tavern depict a maximum height of 25 feet to the top of the parapet wall. Varying rooflines have been incorporated into the design of the buildings. The retail building features a stucco exterior, an aluminum storefront window system, with a decorative metal trellis located at the north and south entrances to the building.

The fuel canopy has a maximum height of 23 feet to the top of the parapet wall. The canopy will consist of a stucco exterior and will be painted with neutral, earth tone colors matching the proposed buildings within the commercial complex.

The plans depict a proposed convenience store and vehicle wash with a height ranging from 23 feet to 26 feet to the top of the parapet wall. Varying rooflines have been incorporated into the overall design of the building. The building consists of a stucco exterior with an aluminum storefront window system. The bay door to the vehicle wash is located along the east side of the building, oriented towards Buffalo Drive. The bay door will be screened by the fuel canopy and street landscaping along Buffalo Drive. An overhead door for the smog check equipment is located on the south side of the building, facing towards Badura Avenue. The street landscaping will screen the overhead door from the public right-of-way. The parapet roof system on all building elevations will screen the rooftop mounted equipment from public view. All building elevations will be painted with neutral, earth tone colors and include wall sconce lighting.

Floor Plans

Below is a table reflecting the building area for each structure:

Floor Area for Proposed Uses		
Building:	Uses	Area (Square Feet)
Retail 1	Retail	9,200
Tavern	On-premises consumption of alcohol	5,300
Retail 2	Retail and restaurant with drive-thru	2,600
Retail 3	Retail and restaurant with drive-thru	4,300
Retail 4	Retail	4,800
Convenience Store	Retail	4,000
Vehicle Wash	Vehicle wash for automobiles	1,300
Gasoline Station	Fuel canopy	4,280

The plans depict an open shell space for the retail buildings, restaurants, tavern, convenience store, and vehicle wash, with the final interior layouts to be determined by the future tenants.

Signage

Signage is not a part of this request.

Applicant's Justification

The convenience store, vehicle wash, and gasoline station are separated by Badura Avenue, which will be a minimum of 70 feet wide at full construction. Due to the limited lot size, the departure distance for the driveway located along Buffalo Drive must be reduced. The driveway entrance is right in and right out access, and traffic is less severe compared to a full driveway entrance with left and right in and out. Due to the limited lot size, the driveway entrance located at the southeast portion of the site, along Badura Avenue, has been pushed all the way to the west property line. The driveway entrances on Buffalo Drive will be able to meet the established requirements by providing the 148 feet of throat depth. The 2 driveway entrances for the gasoline station require the throat depth reduction due to the configuration and access requirement of the gas pump. The entrance on Maule Avenue also requires a throat depth reduction. The total overall throat depth dimension adding together is 197 feet, which is about double the size of the required throat depth as single access of 100 feet. Therefore, the proposed design meets the intent of the throat depth requirement. Alternative parking lot landscaping is requested as the interior of the parking lot is required to have 27 trees. The landscape plan depicts 40 large canopy trees in the interior parking lot area, and 48 trees along the perimeter of the site. An intense landscape buffer with 2 rows of trees, 20 feet on center are provided to screen the drive-thru area where the drive-thru area is facing Buffalo Drive. The proposed development will be an enhancement and an asset to the area and bring the area into a more contemporary style of urban architecture. The retail development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. An increase in finished grade is also requested due to the topographical conditions of the project site. The primary areas for the increase in fill will occur at the northeast corner of the convenience store and along the north portions of retail building 1 and retail building 2 (drive-thru restaurant).

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-4	Multiple family residential (currently under construction)
South	Business and Design/Research Park	R-4	Multiple family residential
East	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	R-E	Undeveloped

This site and the adjacent areas to the south and west are located 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

Zone Change

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

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

The applicant states that over the years, the surrounding area's land use has been changed from the original land use plan. The north and south sides of this parcel are all converted to high-density multiple family use which requires a higher level of commercial services. Due to the location of the project on Buffalo Drive, which is a major arterial street connecting to the freeway with on and off ramp, the commercial development will serve the community well with gas station, convenience store, and some drive-thru fast food services. An office and research campus has been constructed on the north side of the CC 215 and Buffalo Drive interchange, and the retail components will fit this location with better use of land and positive impact to the community.

To the east of the project site, across Buffalo Drive, are 3 undeveloped C-2 zoned parcels totaling 61.8 acres with a planned land use of Commercial General. To the north of the project site, across Maule Avenue, is a multiple family development currently under construction with R-4 zoning and a planned land use of Business and Design/Research Park. To the south of the project site, across Badura Avenue, is an existing multiple family development zoned R-4 with a planned land use of Business and Design/Research Park. Immediately to the west of the proposed development is an undeveloped parcel, consisting of 5 acres, with R-E zoning and a

planned land use of Business and Design/Research Park. The proposed development fronts on an arterial street, Buffalo Drive, with secondary access from a collector street, Badura Avenue. Staff finds the existing land uses to the north, south, east, and west of the project site are compatible and similar to the intensity of uses proposed with the commercial development. Based on the character of the surrounding area, staff finds the proposed zoning is consistent and compatible with the surrounding area.

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

The applicant indicates the density and intensity of the uses by the amendment is compatible with the existing land use in the surrounding area. All buildings are single story with contemporary retail design with appropriate scale and finishes.

To the east of the project site, across Buffalo Drive, are 3 undeveloped C-2 zoned parcels totaling 61.8 acres with a planned land use of Commercial General. To the north of the project site, across Maule Avenue, is an R-4 zoned multiple family development with a density of 21.8 dwelling units per acre with a planned land use of Business and Design/Research Park. To the south of the proposed development, across Badura Avenue, is an R-4 zoned multiple family development with a density of 21.1 dwelling units per acre with a planned land use of Business and Design/Research Park. A U-V zoned, mixed-used development, consisting of 23 dwelling units per acre, with a planned land use of Business and Design/Research Park is located 340 feet to the southwest of the project site. Approximately 380 feet to the west of the proposed development is an existing R-3 multiple family development with a density of 17.9 dwelling units per acre with a planned land use of Business and Design/Research Park. Staff finds the density and intensity of the uses allowed by the nonconforming zone boundary amendment are compatible with the existing and planned land uses in the surrounding area.

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

The applicant indicates there will not be a substantial adverse effect on public facilities and services, such as road, access, schools, parks, and fire and police facilities, and stormwater and drainage facilities, as a result of the proposed retail uses.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. Various Clark County service departments have reviewed the development proposal based on the information submitted by the applicant, and based on the comments received from those service providers, the project is not anticipated to have additional impacts on the surrounding infrastructure beyond what would have been anticipated for a commercial development.

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

The applicant states the proposed development complies with multiple goals and policies from the Clark County Comprehensive Master Plan. Future cross-access is provided at the southwest corner of the project site, to the adjacent undeveloped parcel to the west. Commercial driveways are provided along Badura Avenue (collector street) and Buffalo Drive (arterial street). Furthermore, the proposed development includes design variations to building mass, including different elevations, roof forms, and surface planes by stair-stepping building height, breaking-up the mass (mass refers to height, bulk, and scale of a building) and shifting building placement.

The site complies with Urban Land Use Policy 10 of the Comprehensive Master Plan, which encourages, in part, site designs that are compatible with adjacent land uses and off-site circulation patterns. The request complies with Urban Land Use Policy 66 that encourages commercial development to provide access points on arterial and collector streets and not on local neighborhood streets. The proposed site design complies with Urban Land Use Policy 67 which encourages, in part, ensuring that commercial developments are complementary with abutting uses through site planning and building design. Furthermore, the proposed site conforms to Urban Land Use Policy 74 that encourages, commercial developments to provide and maintain perimeter and interior parking lot trees for shade and visual relief, while maintaining view corridors to storefront areas.

Summary

Zone Change

Several undeveloped parcels, with a planned land use of Commercial General totaling 68.1 acres, are located immediately to the east of the project site across Buffalo Drive. Immediately to the north and south of the project site, across Maule Avenue and Badura Avenue respectively, are multiple family developments with R-4 zoning. The reclassification of this site to a C-2 zone would allow the proposed commercial development within a zoning district that is compatible with existing and planned land uses in the area. Land Use Goal 2 of the Comprehensive Master Plan encourages projects to provide opportunities for a mix of uses such as commercial, entertainment, and multiple family residential within close proximity to each other. Staff finds the C-2 zoning for the project site provides an appropriate mix of uses that are consistent and compatible with the surrounding areas and will serve the surrounding multiple family developments that are within walking distance to the commercial development. The proposed uses are compatible with the existing planned land uses in the area; therefore, staff recommends approval of the zone change.

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The multiple family development located on the south side of Badura Avenue, is set back 22 feet from the north property line adjacent to the public right-of-way, providing additional separation from the proposed commercial uses. Furthermore, the existing and proposed 15 foot wide street landscape areas along the north and south sides of Badura Avenue, respectively, should provide additional mitigation to the separation reduction between the commercial uses and multiple

family development. Staff finds the reduced separation from the commercial uses should have minimal to no impact on the multiple family development; therefore, recommends approval.

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.

Design Reviews #1 through #7

The design of the proposed commercial buildings feature variations in building height contributing to breaking-up the mass of the structures. Staff finds the commercial buildings comply with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking-up the mass of the buildings. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief. Commercial Policy 65 encourages commercial development design that will provide opportunities for cross-access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce on-site and off-site traffic congestion and hazards. Cross-access has been provided to the adjacent parcel at the southwest corner of the project site. Commercial Policy 66 states development should provide access points on arterial and collectors and not on local neighborhood streets. Commercial driveways are proposed along Buffalo Drive, an arterial street, and Maule Avenue, a collector street. Height, color, and material variations have been incorporated into the design of the buildings providing for visual relief. The design of the commercial complex complies with multiple goals and policies of the Comprehensive Master Plan; therefore, staff recommends approval.

Design Review #8

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the project site and complies with Commercial Policy 73 that encourages providing and maintaining perimeter and interior parking lot trees for shade relief, while maintaining view corridors to storefront areas. The commercial development requires 27 trees for the interior of the parking lot where 40 large canopy trees have been distributed throughout the interior of the project site. Staff finds the additional proposed landscaping will reduce the "heat island" effect, and improve the aesthetics of the project site and the surrounding area; therefore, recommends approval.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in the throat depths for the commercial driveways. To help improve the traffic circulation, the applicant is providing 4 commercial driveways to access the site that should see equal use, with most of them having a significant distance on the ingress sides to allow vehicles to exit the right-of-way without conflict.

Waiver of Development Standards #2a

Staff has no objection to the reduction in the departure distance for the northernmost Buffalo Drive commercial driveway. The increase in the throat depth for the driveway will help prevent the vehicles from stacking into the right-of-way by allowing them to exit without any immediate conflicts.

Waiver of Development Standards #2b

Staff has no objection to the reduce distance from the intersection to the commercial driveway on Badura Avenue. The applicant placed the driveway as far west as the site's frontage will allow.

Design Review #9

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. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 7, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;

- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to 50 feet to the back of curb for Buffalo Drive plus the right-of-way necessary for a dedicated right turn lane from Buffalo Drive to Badura Avenue, 35 feet to 40 feet to the back of curb for Badura Avenue, 30 feet for Maule Avenue, and associated spandrels;
- Coordinate with Public Works - Design Division for the Maule/ Badura Connection improvement project;
- Dedicate any right-of-way and easements necessary for the Maule/ Badura Connection improvement project;
- Coordinate with Public Works - Traffic Management Division for the Traffic Signal installation and improvements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #00168-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

APPLICANT: CHOTCHAI SRISURO

CONTACT: YIHONG LIU + ASSOCIATES, LTD., 1669 W. HORIZON RIDGE PARKWAY, SUITE 120, HENDERSON, NV 89012

06/01/21 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

DURANGO DR/PATRICK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0177-DURANGO 5, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Bonita Vista Street (alignment) and between Patrick Lane and Oquendo Road and a portion of right-of-way being Durango Drive (driveway) located between Oquendo Road and Patrick Lane within Spring Valley (description on file). U/jor/jo (For possible action)

RELATED INFORMATION:

APN:

163-32-613-002

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The site plan depicts a previously approved commercial complex on the west side of Durango Drive and the north side of Patrick Lane. The subject parcel is located on the northern end of the complex APN 163-32-613-002. There is an existing 15 foot wide private drainage easement that runs diagonally from the northeast corner of the parcel to the southwest corner of the site. In addition, there is an existing driveway right-of-way on the northeast corner of the site on the west side of Durango Drive. The existing driveway right-of-way and the drainage easement are no longer needed for the previously approved commercial complex.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0070	Allowed a reduction in the required landscaping along an arterial street (Durango Drive), reduced driveway throat depth, with a design review for alternative parking lot landscaping (diamond shaped landscape planters), and for a proposed commercial complex	Approved by BCC	April 2021
DR-0157-08	Shopping center for northern most and southern most parcel - expired	Approved by BCC	March 2008
VS-0159-08	Vacated a portion of right-of-way being Durango Drive - expired	Approved by BCC	March 2008

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1679-04 (ET-0313-07)	Second extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	October 2004
WS-1679-04 (ET-0324-06)	First extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	December 2006
WS-1679-04	Increased building height and design review for an office and retail center - expired	Approved by BCC	October 2004
UC-0716-03	Outside dining and drinking with a proposed tavern; waived conditions for WC-0356-00 requiring a design review as a public hearing on final plans with landscaping to be addressed for the north property line per Figure 30.64-11 (without wall); and waived conditions for ZC-0187-99 requiring B-1 landscaping along street frontages; design review for the site *APN: 163-32-613-003 (South of subject parcel)	Approved by BCC	June 2003
TM-0253-02	1 lot commercial subdivision	Approved by PC	August 2002
VS-0431-01	Vacated a portion of right-of-way being Ponderosa Way (30 feet), and 33 foot wide patent easements - recorded	Approved by PC	June 2001
ZC-1185-97 (WC-0136-01)	Waived a condition of a zone change requiring a 30 foot dedication on Ponderosa Way in conjunction with a proposed office complex	Approved by BCC	May 2001
ZC-0187-99 (WC-0356-00)	Waived conditions of a zone change for 1) design review as a public hearing for subject parcel and parcel to the west to be heard at one time; 2) recording reciprocal cross-access and parking agreement with parcel to the west; 3) providing a 15 foot A-2 landscaped area long the north property line; 7) 30 foot dedication of Ponderosa Way - approved subject to design review as a public hearing on final plans with landscaping per Figure 30.64-11 (without wall) for north property line	Approved by BCC	November 2000
ZC-0187-99	Reclassified 5 acres (eastern half of the original 10 acres) from C-1 to C-2 zoning; C-2 zoning was restricted only to the northwest corner of Durango Drive and Patrick Lane, approximately 2.7 acres	Approved by BCC	May 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1185-97	Reclassified 10 acres from R-E to C-1 zoning for an office complex consisting of 11 buildings, with landscaping conditions to include maximum buffering for the north property line based on Title 29 requirements	Approved by BCC	August 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped
South	Commercial General	C-1 & C-2	Restaurant & undeveloped
East	Office and Professional	C-P	Office complex
West	Commercial General	C-1	Mountains Edge Hospital

Related Applications

Application Number	Request
UC-21-0176	A use permit for a liquor store is a related 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 the drainage easement and right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

Building Department - Fire Prevention

- No comment

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DURANGO 5 LLC

CONTACT: RIETZ CONSULTING, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120

DRAFT

06/01/21 PC AGENDA SHEET

LIQUOR STORE
(TITLE 30)

DURANGO DR/PATRICK LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0176-DURANGO 5, LLC:

USE PERMIT to allow alcohol sales, liquor – packaged only (a liquor store) not in conjunction with a grocery store in conjunction with a commercial complex on 1.8 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the west side of Durango Drive, 308 feet north of Patrick Lane within Spring Valley. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:
163-32-613-002

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary

- Site Address: 6045 S. Durango Drive
- Site Acreage: 1.8
- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 7,250 (Building A)/4,548 (Building B)/8,000 (Building C)
- Parking Required/Provided: 166/167

History & Request

ZC-1185-97 is a previously approved zone change which reclassified 10 acres on the northwest corner of Durango Drive and Patrick Lane from R-E zoning to C-1 zoning for an office complex consisting of 11 buildings, with landscape conditions to include maximum buffering for the north property line based on Title 29 requirements. Subsequently, 5 acres (eastern half of the original 10 acres) went through a second zone change (ZC-0187-99) to reclassify the 5 acres from C-1 zoning to C-2 zoning. The Notice of Final Action for ZC-0187-99 stated that the C-2 zoning was restricted only to the northwest corner of the intersection of Durango Drive and Patrick Lane, approximately 2.7 acres as shown on the zoning map. Furthermore, UC-0716-03 was approved

for APN 163-32-613-003, south of the subject parcel, for a restaurant and was the first establishment to be constructed. The southernmost parcel is still undeveloped.

The subject parcel was previously approved for a commercial complex via WS-21-0070. The applicant is proposing a liquor store within a lease space of Building C, that is not in conjunction with a grocery store.

Site Plan

The submitted site plan depicts 3 rectangular buildings. The first building (Building A) is located along the north property, the second (Building B) is located along the south property line, and both Buildings A and B are orientated east to west. The third building (Building C), oriented north to south, is adjacent to the west property line. Access to the site is provided via 2 existing driveways along the east property line adjacent to Durango Drive. Cross-access is also provided per the submitted plans spanning from the subject parcel heading south towards the existing restaurant, and potentially connecting to the southernmost parcel once it is finally developed. Per the updated parking calculations, there are 166 required parking spaces where 167 are provided. Ninety-one parking spaces are provided on the subject parcel, and 76 parking spaces are located within the restaurant site to the south.

The applicant is proposing a liquor store (not in conjunction with a grocery store) within Building C. Building C is set back 13 feet from the north property line, 210 feet from the east property line (Durango Drive), 10 feet from the west property line, and 110 feet from the south property line.

Landscaping

The landscape plans depict an existing attached sidewalk along the east property line (adjacent to Durango Drive). Adjacent to the attached sidewalk is a landscape planter with a minimum width of 10 feet to a maximum width of 25 feet. Landscaping is also located along the north property line (now adjacent to an undeveloped C-2 parcel) and includes 24 inch box trees, and shrubs. The proposed landscaping along the west property line (now adjacent to Mountains Edge Hospital) also includes 24 inch box trees and shrubs. In addition, the landscape plan also shows a 6 foot wide landscape planter that widens to 20 feet which is parallel to the drive-thru lane south of Building B, and is adjacent to the south property line. This landscape planter also includes 24 inch box trees and shrubs to help enhance the drive-aisle and buffer the drive-thru lane and trash enclosure. The landscape plan shows that there will be fifty-six, 24 inch box trees planted on this site, as well as 305 shrubs.

Elevations

Building A has an overall height of 26 feet, Building B has an overall height of 28 feet, and Building C has an overall height of 26 feet to the top of the parapet roofs. The rooflines vary in height with architectural stucco pop-outs, standing seam canopies, and metal coping. The exterior finishes include stucco walls, faux stone finishes, and aluminum storefront and window systems.

Floor Plans

The proposed liquor store is located within a 7,000 square foot lease space which makes up a majority of Building C. The floor plan depicts the retail space area, storage, cashier stations, employee areas, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

Title 30 allows alcohol sales, beer and wine – packaged only for establishments within a C-1 zoning district. However, the applicant is proposing a new liquor store on site that will sell packaged beer, packaged wine, and packaged liquor. Per Title 30, selling packaged liquor in a C-1 zoning district requires a use permit.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0070	Allowed a reduction in the required landscaping along an arterial street (Durango Drive), reduced driveway throat depth, with a design review for alternative parking lot landscaping (diamond shaped landscape planters), and for a proposed commercial complex	Approved by BCC	April 2021
DR-0157-08	Shopping center for northern most and southern most parcel - expired	Approved by BCC	March 2008
VS-0159-08	Vacated a portion of right-of-way being Durango Drive - expired	Approved by BCC	March 2008
WS-1679-04 (ET-0313-07)	Second extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	October 2004
WS-1679-04 (ET-0324-06)	First extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	December 2006
WS-1679-04	Increased building height and design review for an office and retail center - expired	Approved by BCC	October 2004

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0716-03	Outside dining and drinking with a proposed tavern; waived conditions for WC-0356-00 requiring a design review as a public hearing on final plans with landscaping to be addressed for the north property line per Figure 30.64-11 (without wall); and waived conditions for ZC-0187-99 requiring B-1 landscaping along street frontages; and design review for the site *APN: 163-32-613-003 (South of subject parcel)	Approved by BCC	June 2003
TM-0253-02	1 lot commercial subdivision	Approved by PC	August 2002
VS-0431-01	Vacated a portion of right-of-way being Ponderosa Way (30 feet), and 33 foot wide patent easements recorded	Approved by PC	June 2001
ZC-1185-97 (WC-0136-01)	Waived a condition of a zone change requiring a 30 foot dedication on Ponderosa Way in conjunction with a proposed office complex	Approved by BCC	May 2001
ZC-0187-99 (WC-0356-00)	Waived conditions of a zone change for 1) design review as a public hearing for subject parcel and parcel to the west to be heard at one time; 2) recording reciprocal cross access and parking agreement with parcel to the west; 3) providing a 15 foot A-1 landscaped area long the north property line; 7) 30 foot dedication of Ponderosa Way - approved subject to design review as a public hearing on final plans with landscaping per Figure 30.64-11 (without wall) for north property line	Approved by BCC	November 2000
ZC-0187-99	Reclassified 5 acres (eastern half of the original 10 acres) from C-1 to C-2 zoning; C-2 zoning was restricted only to the northwest corner of Durango Drive and Patrick Lane, approximately 2.7 acres	Approved by BCC	May 1999
ZC-1185-97	Reclassified 10 acres from R-E to C-1 zoning for an office complex consisting of 11 buildings, with landscaping conditions to include maximum buffering for the north property line based on Title 29 requirements	Approved by BCC	August 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped
South	Commercial General	C-1 & C-2	Restaurant & undeveloped
East	Office and Professional	C-P	Office complex
West	Commercial General	C-1	Mountains Edge Hospital

Related Applications

Application Number	Request
VS-21-0177	A vacation and abandonment of easements and right-of-way is a related item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Staff does not object to the applicant's proposed use permit. C-1 zoning allows alcohol sales for packaged beer and wine, and the request to sell packaged liquor does not negatively impact the surrounding area or the newly approved commercial complex. From an economic standpoint the proposed liquor store provides employment for the local community and has the potential to be a viable retail establishment to the commercial complex. Staff supports this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion

within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Grant necessary easements, including pedestrian access easements at the exiting northern driveway;
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- Applicant is advised cross-access agreements will be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0086-2021 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DURANGO 5 LLC

CONTACT: SUZANA RUTAR, SUZANA RUTAR ARCHITECTURE, 1950 EAST WARM SPRINGS ROAD, LAS VEGAS, NV 89119

06/01/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

LINDELL RD/PONDEROSA WY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0171-GREYSTONE NEVADA, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative residential driveway geometrics.

DESIGN REVIEW for single family model homes on 2.4 acres in an R-E (Rural Estates Residential)(RNP-I)(AE-60) Zone.

Generally located on the south side of Ponderosa Way, 280 feet east of Lindell Road (alignment) within Spring Valley. MN/md/jo (For possible action)

RELATED INFORMATION:

APN:
163-36-601-046 through 163-36-601-049

WAIVER OF DEVELOPMENT STANDARDS:
Increase the width of residential driveways up to 60 feet where a maximum width of 28 feet is permitted for 3 car garages per Uniform Standard Drawing 222 (a 114.3% increase).

LAND USE PLAN:
SPRING VALLEY RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5365 through 5395 Ponderosa Way
- Site Acreage: 2.4
- Number of Lots: 4
- Density (du/ac): 1.7
- Minimum/Maximum Lot Size (square feet): 23,607/23,738 (gross)/19,260/22,323 (net)
- Project Type: Single family residential development
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 3,814 to 4,150

Site Plans

The plans depict a proposed single family residential development consisting of 4 lots at 1.7 dwelling units per gross acre. The existing subdivision will be serviced by a 40 foot wide private access easement, located adjacent to Ponderosa Way, which terminates into a cul-de-sac. The minimum and maximum gross lot area is 23,607 square feet and 23,738 square feet, respectively. The minimum and maximum net lot area is 19,260 square feet and 22,323 square feet, respectively. A waiver of development standards is being requested to increase the maximum width of a single family residential driveway from 28 feet to 60 feet, to accommodate garages that vary from 3 to 4 cars, with an additional recreational vehicle garage.

Landscaping

An existing 6 foot wide landscape easement, to be privately maintained, is located along Ponderosa Way. The landscape easement is located within the property boundaries of Lot 1 and Lot 4, as depicted on the recorded parcel map.

Elevations

The plans depict 3 elevation models, with a maximum height of 23 feet. Each model consists of a pitched, concrete tile roof with a stucco exterior. Architectural enhancements include stone veneer, window fenestrations, and various recesses to break up the vertical and horizontal surfaces of the structures.

Floor Plans

The plans depict a floor area ranging between 3,814 square feet to 4,150 square feet, depending on the option selected for the single family residence. The floor plans feature multiple bathrooms, bedrooms, closets, dining room, great room, exercise room, and a kitchen. Each model residence features a 3 to 4 car garage, including a recreational vehicle garage, that measure between 2,049 square feet to 2,300 square feet.

Applicant's Justification

In order to allow for unimpeded vehicular ingress and egress for homes with 3+ car garages, a waiver of driveway widths is being requested to allow driveway widths to exceed the 28 foot maximum allowed per Clark County Uniform Standard Drawing 222. Two distinct floor plans have been approved for the subdivision with garages that vary from 3 to 4 car garage, with RV garages in addition. In order to accommodate all combinations of the garages offered, it is necessary to request the width be increased to 60 feet, where 28 feet is the maximum allowed (a 114 % increase).

The lots located in cul-de-sacs have driveways approximately 52 feet and 60 feet maximum in width. All driveways will be comprised of decorative pavers, adding to the street appeal and architectural enhancement of the community.

The proposed design and density of the project comply with the existing R-E zoning. The proposed home elevations and floor plans are modern in architecture design and provide a variety of elevations with articulated building facades. The intent of the development is to preserve the rural character of the adjacent developments. The Rural Neighborhood Preservation

(RNP-I) Overlay requires the area be maintained as low density residential development not to exceed an overall density of 2 dwelling units per acre, of which this project is in compliance.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0273	Vacate government patent easements - recorded	Approved by PC	June 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Undeveloped
South	Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac)	R-E	Undeveloped
East	Office Professional	R-1	Single family residential
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Design Review

Per Section 30.48.170 of the Development Code, the purpose of the Residential Neighborhood Preservation (RNP-I) Overlay District is to ensure that the character of rural development is preserved. The RNP-I Overlay requires an area designated within any of the various adopted land use plans to be maintained as low density residential development not to exceed an overall density of 2 dwelling units per acre. Staff finds the density of this single family residential development is compatible and consistent with the planned and existing uses in the immediate area. This portion of the request is compliant with Land Use Goal 5 of the Comprehensive Master Plan which encourages opportunities for developing low density residential areas as a lifestyle choice. The design of the residential elevations, with varied architectural elements and floor plans, complies with Code requirements; therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards

The subdivision is located in a Rural Neighborhood Preservation area where estate homes are built that are somewhat different than the standard housing types seen in the Las Vegas Valley. As such, it is not uncommon to have wide front yards and numerous garages to accommodate a variety of vehicles and storage needs. All of the driveways front on private streets so there will be no impact to any public infrastructure. Since the proposed driveways will comply with all of the other provisions from Uniform Standard Drawing 222 and Title 30, staff does not object to the width of the driveways.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran 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.

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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.

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.;

- 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 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 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; 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GREYSTONE NEVADA LLC

CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89113

6

06/02/21 BCC AGENDA SHEET

TIRE SALES/INSTALLATION
(TITLE 30)

DECATUR BLVD/RENO AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-21-0167-WW & JJ CHOI, LLC:

ZONE CHANGE to reclassify 0.4 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to a C-2 (General Commercial) Zone.

USE PERMITS for the following: 1) tire sales and installation; and 2) reduced separation.

Generally located on the west side of Decatur Boulevard, 170 feet north of Reno Avenue within Spring Valley (description on file). MN/nr/jo (For possible action)

RELATED INFORMATION:

APN:
163-25-502-031

USE PERMITS:

1. Tire sales and installation.
2. Reduce the separation between tire sales from residential to 152 feet 4 inches where 200 feet is required per Table 30.44 (a 23.8% decrease).

LAND USE PLAN:
SPRING VALLEY COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5075 S. Decatur Boulevard
- Site Acreage: 0.4
- Project Type: Tire sales and installation
- Number of Stories: 1
- Building Height (feet): 29
- Square Feet: 3,800
- Parking Required/Provided: 127/128

Site Plan & History

The subject parcel is currently zoned C-2 on the north and C-1 on the south. The existing building has both designations. The proposed use of tire sales and installation is not allowed in the C-1 zoning district; therefore, this application to rezone the C-1 portion of the site and

building to C-2 is required in order to accommodate the proposed use. The plans depict an existing 3,800 square foot vehicle maintenance building within an existing commercial center approved for various vehicle related uses, retail uses, and a tavern. Parking is located on the north side of the vehicle maintenance building and is shared with the other existing uses within the commercial center. Access to the site is from Decatur Boulevard with cross access to the parcel to the south and on the north side of the existing commercial center.

Landscaping

Existing mature landscaping is located on the perimeter of the site. New landscaping is not a part of this request.

Elevations

The existing 29 foot high building consists of stucco exterior and concrete tile with aluminum store fronts and a mission style concert roof. There are 3 overhead service bay doors located on the west side of the building. No changes are proposed to the existing building.

Floor Plans

The plans depict a vehicle maintenance service bay area, retail and customer waiting room, storage, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use is similar in nature to the existing uses in the commercial complex. The proposed use would be in an existing building with no exterior changes and the applicant states that the use is compatible with the surrounding uses.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0240-09 (AR-0096-16)	First application to review vehicle uses	Approved by PC	August 2016
UC-0240-09 (ET-0010-11)	First extension of time for vehicle uses	Approved by PC	June 2011
UC-0240-09	Allowed vehicle detailing, vehicle maintenance and repair, and a paint and body shop with reduced separation to residential	Approved by PC	May 2009
ADR-0296-01	Retail building	Approved by ZA	April 2001
UC-1025-98 (ET-0281-99)	First extension of time for vehicle repair	Approved by PC	September 1999
UC-1025-98	Vehicle repair, carwash, tire sales (on C-2 portion)	Approved by PC	August 1998
VS-0642-97	Vacated and abandoned patent easements	Approved by PC	May 1997

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0528-97	Reclassified 2.5 acres from R-E to C-2 zoning	Approved by BCC	June 1997
ZC-0529-97	Reclassified 1.3 acres from R-E to C-1 zoning	Approved by BCC	May 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Retail building
South	Commercial General	C-1	Convenience store & gas station
East	Commercial Tourist	M-1	Office complex & undeveloped
West	Commercial General	C-1 & C-2	Vehicle maintenance & repair facility

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The proposed zone change is in conformance with the Spring Valley Land Use Plan and the proposed use of the site is consistent and compatible with the abutting developments. The zone change complies with Goal 1 of the Comprehensive Master Plan to implement a comprehensive land use plan to promote economic viability and employment opportunities with development that is compatible with adjacent land uses; therefore, staff supports the zone change.

Use Permits

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

The requirements for separation from various types of development to residential uses is an effort to avoid potential negative impacts on the residential uses. The subject site within a commercial center was originally approved with several types of vehicle related uses each with use permits and waivers for separation from the multiple family complex to the west. Staff finds that the proposed use permits will not have a negative impact on the surrounding uses; therefore, can support the 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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: VICTOR KNIGHT

CONTACT: VICTOR KNIGHT, KWDG, 6585 ESCONDIDO STREET, SUITE D, LAS VEGAS, NV 89119