

- III. Approval of Minutes for July 11, 2023. (For possible action)
- IV. Approval of the Agenda for July 25, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **WS-23-0333-MATTER UNCOMMONS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) approach distance; 2) throat depth; 3) curb return; and 4) driveway width.
DESIGN REVIEWS for the following: 1) modifications to a previously approved High Impact Project and Mixed-Use Project; and 2) finished grade on an 8.4 acre portion of 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/sd/syp (For possible action) **08/02/23 BCC**
 - 2. **UC-23-0296-WEST SAHARA PROMENADE CO, LLC:**
USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) Hookah Lounge within an existing shopping center on a portion of 8.0 acres in a C-1 (Local Business) Zone. Generally located on the south side of Sahara Avenue and the east side of Cimarron Road within Spring Valley. JJ/sd/syp (For possible action) **08/15/23 PC**
 - 3. **UC-23-0341-APACHE 3 LLC:**
USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant within a shopping center on a portion of 4.1 acres in a C-1 (Local Business) 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/jud/syp (For possible action) **08/15/23 PC**
 - 4. **UC-23-0368-PACIFIC ASIAN SQUARE INC:**
USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with a restaurant within an existing retail center on 1.9 acres in a C-1 (Local Business) Zone. Generally located on the north side of Spring Mountain Road and the west side of Hauck Street within Spring Valley. JJ/lm/syp (For possible action) **08/15/23 PC**
 - 5. **VS-23-0373-QMC HACIENDA HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Jerry Tarkanian Way and Fort Apache Road and between Hacienda Avenue and Diablo Drive within Spring Valley (description on file). JJ/nai/syp (For possible action) **08/15/23 PC**

6. **WC-23-400099 (UC-20-0231)-HORDEN CATHERINE TRUST, LLC:**
WAIVER OF CONDITIONS of a use permit to remove a condition limiting the hours of operation to be between 4:00 p.m. and 3:00 a.m. 7 days a week for a supper club and hookah lounge on a portion of 2.5 acres in a C-1 (Local Business) Zone. Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/jgh/syp (For possible action) **08/15/23 PC**

7. **WS-23-0353-PN II, INC:**
WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height in conjunction with an approved single family residential development on a portion of 12.0 acres in an R-2 (Medium Density Residential District) Zone within the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Buffalo Drive within Spring Valley. MN/dd/syp (For possible action) **08/15/23 PC**

8. **WS-23-0365-YAMAGATA GENE H FAMILY TRUST & YAMAGATA GENE H TRS:**
WAIVER OF DEVELOPMENT STANDARDS for the following: 1) allow a non-decorative fence; and 2) increase fence height within the front yard in conjunction with a single family residence on 1.0 acre in an R-E (Rural Estates Residential) Zone in the CMA Design Overlay District.
Generally located on the north side of Spanish Heights Drive, approximately 2000 feet south of Spanish Mountain Drive within Spring Valley. JJ/jud/syp (For possible action) **08/15/23 PC**

9. **WS-23-0366-BECHERER CHRISTOPHER DAVID & MCDONOUGH HEIDI ANN:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building separation; and 2) allow 2 driveways in conjunction with an existing single family residence on 0.4 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the west side of Redwood Street, 120 feet south of Palmyra Avenue within Spring Valley. JJ/sd/syp (For possible action) **08/15/23 PC**

10. **UC-23-0362-NEVADA AUTO REAL ESTATE INVESTMENTS, LLC:**
USE PERMIT to reduce the separation to a residential use.
DESIGN REVIEWS for the following 1) vehicle sales facility; 2) vehicle maintenance facility 3) vehicle wash facility; 4) alternative parking lot landscaping; and 5) finished grade on a portion of 8.6 acres in a C-2 (CMA Design Overlay) Zoning District. Generally located on the north side Rafael Rivera Way, 350 feet west of Warbonnet Way within Spring Valley. MN/sd/syp (For possible action) **08/16/23 BCC**

11. **ZC-23-0383-HD SUNSET DECATUR, LLC:**
ZONE CHANGE to reclassify 6.2 acres from an R-E (Rural Estates Residential) (AE-60 & AE-65) Zone to an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; and 2) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) warehouse buildings; and 3) finished grade on a 6.4 acre portion of a 17.2 acre site in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 250 feet west of Decatur Boulevard within Spring Valley (description on file). MN/md/syp (For possible action) **08/16/23 BCC**

12. **VS-23-0384-HD SUNSET DECATUR, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Sunset Road and Teco Avenue (alignment), and between Decatur Boulevard and Lindell Road; a portion of a right-of-way being Hauck Street located between Sunset Road and Teco Avenue (alignment); and a portion of right-of-way being Sunset Road located between Decatur Boulevard and Lindell Road within Spring Valley (description on file). MN/md/syp (For possible action) **08/16/23 BCC**

13. **TM-23-500083-DEWBES, LLC:**
TENTATIVE MAP consisting of 1 commercial lot and common lots on 9.8 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 250 feet west of Decatur Boulevard within Spring Valley. MN/md/syp (For possible action) **08/16/23 BCC**

VII. General Business

1. None.

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: August 8, 2023.

X. Adjournment.

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

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

<https://notice.nv.gov>

MIXED-USE PROJECT
(TITLE 30)

DURANGO DR/215 BELTWAY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0333-MATTER UNCOMMONS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) approach distance; 2) throat depth; 3) curb return; and 4) driveway width.

DESIGN REVIEWS for the following: 1) modifications to a previously approved High Impact Project and Mixed-Use Project; and 2) finished grade on an 8.4 acre portion of 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley.
MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the approach distance along Gagnier Boulevard to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
- b. Reduce the approach distance along Badura Avenue to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
2. a. Reduce the throat depth along Gagnier Boulevard to 55 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
- b. Reduce the throat depth along Gagnier Boulevard to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
- c. Reduce the throat depth along Badura Avenue to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
3. Reduce required standard curb return to 4 feet where 15 feet is required per Uniform Standard Drawings (a 73% reduction).
4. Reduce the driveway width to less than 32 feet lip to lip for pull-outs for Fire Department and other utilities per Uniform Standard Drawings 222.1.

DESIGN REVIEWS:

1. Revisions to portion of residential element and commercial element (Phase II).
2. Increase finished grade to 48 inches where a maximum of 36 inches is allowed per Section 30.32.040 (a 33% increase).

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 32.5 (entire site)/8.4 (Phase II)
- Number of Units: 807
- Density (du/ac): 23
- Project Type: Modifications to high impact/mixed-use project
- Number of Stories: Up to 5 stories
- Building Height (feet): Up to 75
- Square Feet: 588,600 (commercial)
- Open Space Required/Provided (square feet): 211,266/452,100
- Parking Required/Provided: 3,392/3,620

History & Request

The approved mixed-use project is located on the southeast corner of the CC 215 Beltway/Roy Horn Way and Durango Drive on a total of 35.2 acres approved by action on ZC-19-0343. The previously approved plans depict a high impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. The originally approved residential element consisted of 838 residential units at a density of 24 dwelling units per acre. The approved open space element for the entire project was a total of 452,100 square feet where 211,266 square feet is required.

In March 2020, a Design Review (DR-20-0098) was approved for modifications to the site. The revised plans approved with DR-20-0098 depicted 806 residential units at a density of 23 dwelling units per acre.

This request is for the Phase II portion of the project consisting mainly of the residential element and a portion the commercial elements located on the south side of Maule Avenue, the north side of Badura Avenue, and west side of Gagnier Boulevard. The Phase II revision is a redesign to combine two portions of the southern residential areas which were originally approved with a private drive between. This revision depicts a site with the private street eliminated to create one residential block/complex with a reduced commercial element.

The open space is distributed along the perimeter, center and distributed throughout the site, consisting of the required pedestrian realm, modified and alternate realms, courtyards, plazas, and open spaces. The approved site landscaping consists of pedestrian realms along the frontage of the street and private drives ranging in width from a minimum of 15 feet up to 30 feet. The modified pedestrian realm along portions of Roy Horn Way is up to 20 feet wide with an alternate pedestrian realm that traverses the site ranging from a minimum of 15 to 25 feet wide in some areas to create wider plazas, courtyards open space and amenity area and connect to trails.

A total of 3,713 parking spaces were provided where the shared use table allows 3,135 spaces. The parking spaces are within various parking structures around the site. Parallel and angled parking spaces are also provided along the drive aisles and private streets within the site. The residential elements and buildings are mainly located on the southern and western portions of the site. Phase I of the residential elements depicted buildings designed with the residential units wrapped around the parking structures. This allows the residential units which are the enhanced portions of the buildings to front the street frontages and more visible portions of the site. Portions of the residential element of Phase I are completed with other portions under construction.

Site Plan

This request is for Phase II of the residential element and a portion of the commercial element. The revision depicts a site with the private street eliminated to create one with 8.35 acres (net) block. This residential block/complex is between Maule Avenue to the north, Badura Avenue to the south, Gagnier Boulevard to the east and Butler Street to the west. Internal private streets with on-street parking create a grid network connecting the project with the surrounding public rights-of-way. Four office buildings are located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex.

The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. An 1,861 square foot leasing office with amenity areas for the buildings within this block/complex includes a fitness center, co-working spaces, a lounge, pet spa, bicycle storage. Parking for the overall project was recalculated using the shared use parking schedule and indicates that a maximum of 3,392 spaces are required where 3,620 are provided.

With all four levels of the apartment buildings combined, the total area is approximately 459,426 gross square feet. The entire project with the combined square footage of the apartment buildings and the parking garage is 837,673 gross square feet. The northwest corner of the building will include approximately 2,659 gross square feet of commercial space at the ground floor level. Additionally, there will be a ground floor Leasing Office of approximately 1,861 square feet, and various amenity spaces for residents' use including a fitness center, working space, sky lounge, pet spa, bicycle storage and other similar types of amenities.

The plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue and three separate interior courtyards connect the buildings with ground level breezeways.

This revision adds a residential unit to the latest approved plan, for a total of 807, which keeps the overall density at 23 dwelling units per acre.

Landscaping

The plans depict 20 feet to 41 feet wide pedestrian realm around the residential block/complex which exceeds Code requirement. Other revisions include pedestrian pathways that connect the pedestrian realm to the open space and plaza areas within the complex. The open space element

provided for this complex is 169,736 square feet which is a portion of the overall open space provided for the project.

Elevations

The plans depict 4 story buildings, range in height from 47 feet to the top of the parapets and up to 59 feet, 4 inches to the top of the stair wells and elevator shafts. The parking structure is four stories and up to approximately 35 feet in height and designed with each level corresponding to the floor levels of the apartment building. The building materials for the apartments include wood frames with low slope roofing and parapets around the perimeter with painted stucco finishes in white and grey with accents, off-sets, and recesses to enhance the facades especially along the street frontages and pedestrian realms. The parking structure consists of precast concrete panels with metal stairs.

Floor Plans

The plans depict a selection of floor plans and include various configurations, including 50 studio apartment units, 216, one bedroom units, 185, two bedroom units, and 4, three bedroom units. Each will have a variety a design element based on interior design palette for each building. The size of the apartment units ranges from 543 to 698 square feet for studios, from 783 square feet for 1 bedroom, up to 1,400 square feet for the 2 bedroom, and up to 1,561 square feet for the 3 bedroom units.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the changes to the project are appropriate and consistent with the original entitlements. Phase I of the residential elements depicted buildings designed with the residential units wrapped around the parking structures. Portions of the residential element of Phase I are completed with other portions under construction.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|--|-----------------|-------------|
| ET-22-400039 (ZC-19-0343) | First extension of time request | Approved by BCC | May 2022 |
| DR-22-0011 | Finished grade | Approved by BCC | April 2022 |
| DR-20-0098 | Outdoor theater and modifications to previously approved High Impact Project and mixed-use | Approved by ZA | March 2020 |
| TM-20-500013 | Mixed-use project consisting of 4 commercial lots on 43.4 acres | Approved by ZA | March 2020 |
| ZC-19-0343 | Reclassified the site to U-V zoning for a high impact, mixed-use project | Approved by BCC | June 2019 |
| VS-19-0253 | Vacated and abandoned government patent easements and a portion of right-of-way being Pamalyn Avenue | Approved by BCC | May 2019 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|----------------|
| VS-0794-16 | Vacated and abandoned patent easements and a portion of right-of-way being Butler Street | Approved by BCC | April 2017 |
| UC-1202-02 | Off-premises sign | Denied by BCC | February 2003 |
| UC-1199-02 | Off-premises sign | Denied by BCC | February 2003 |
| VS-1518-02 | Vacated and abandoned a portion of the Durango Flood Channel | Approved by PC | December 2002 |
| ZC-1415-02 | Reclassified a 12.2 acre portion of the site to C-2 zoning for future development | Approved by BCC | November 2002 |
| ZC-1107-02 | Reclassified a 2 acre portion of the site to C-2 zoning for an office building | Approved by BCC | September 2002 |
| ZC-1065-02 | Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant | Approved by BCC | September 2002 |

Surrounding Land Use*

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------|---------------------------|-----------------|--|
| North** | Corridor Mixed-Use | R-E, M-D, & C-2 | Undeveloped & office building |
| South | Urban Neighborhood | R-4 & M-D | Undeveloped & multiple family residential |
| East | Business Employment | R-E & C-2 | Undeveloped |
| West | Entertainment Mixed-Use | H-1 | Multiple family residential & approved resort hotel/casino (Durango Station) |

*Portions of the subject site and surrounding area are located in the CMA Design Overlay District and the Public Facilities Needs Assessment (PFNA) area.

**The CC 215 is located directly north of the site.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Design Review #1

The project includes a mix of uses consistent with other mixed-use developments, and incorporate general business, professional and public offices, multiple family residential uses, and supporting commercial uses. The proposed design of Phase II complies in part with Policy SV-1.5: Neighborhood services and employment options, where by in part the proposed mixed-use development that promotes the development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and in part with Policy SV-4.2: Pedestrian and bicycle connections, and will provide for safety and comfort of people walking and biking through improvements to sidewalks and bike lanes, intersection design that prioritizes pedestrian safety. In addition, the proposed development complies with Policy 3.6.2: Compact, mixed-use and transit-oriented development and will provide to residents to lessen reliance on automobiles as the primary means of transportation. Staff believes the design after the modifications is still consistent with the overall project; Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in approach distance for the southern driveway on Gagnier Boulevard. The driveway is for the parking garage

Waiver of Development Standards #2a

Staff has no objection to the reduction in throat depth for the southern most driveway on Gagnier Boulevard. The driveway is for the entrance to the parking garage and the applicant has provide a safe distance to help mitigate potential conflict.

Waiver of Development Standards #2b, #2c, & #3

Staff can support the reduction in throat depth and curb return radius for the loading area driveways on Gagnier Boulevard and Badura Avenue. The driveway will see minimal use since they are not for the general public and are only used for the loading areas.

Waiver of Development Standards #4

Staff has no objection to the reduced driveway width for all of the Fire Department, Nevada Energy and other utility agency's to access drives for the site, as the driveways will only be accessed by for maintenance and emergency vehicles.

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue improvement project;
- Coordinate with Public Works - Development Review on the final design of the loading area driveways;
- Coordinate with Public Works - Development Review on prohibiting public access to the NVE access driveways.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0118-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JAMES STUART
CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101

DRAFT

08/15/23 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

SAHARA AVE/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0296-WEST SAHARA PROMENADE CO, LLC:

USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); and **2)** Hookah Lounge within an existing shopping center on a portion of 8.0 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Sahara Avenue and the east side of Cimarron Road within Spring Valley. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-09-510-004 ptn

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 8125 W. Sahara Avenue
- Site Acreage: 8 (portion)
- Project Type: Supper club & hookah lounge
- Number of Stories: 1
- Square Feet: 5,488
- Parking Required/Provided 54/543 (entire shopping center)

Site Plans

The plans show a proposed supper club and hookah lounge within a lease area (Suite 300) located in the main shopping center building at 8125 West Sahara Avenue. The proposed supper club is over 230 feet from the nearest residential use; thus, meeting the separation distance of 200 feet required by Code. Access to the site is from both Sahara Avenue and Cimarron Road. The proposed use does not require any additional parking.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The plans depict an existing 1 story shopping center constructed of stucco finish, aluminum storefront systems, metal trellises, and tile roofing.

Floor Plans

The plans depict a restaurant with on-premises consumption of alcohol with bar, eating area, utility room, kitchen, DJ booth, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed use will be a restaurant with on-premises consumption of alcohol and hookah lounge. All patrons will be 21 to enter the premises and will include security measures as outlined by the applicant in their letter. The restaurant will offer a full-service bar with waitresses and once the patrons select items from the food menu, they will then be offered a drink and beverage menu.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|----------------|
| UC-19-0823 | Hookah lounge in conjunction with a supper club within an existing shopping center | Approved by PC | December 2019 |
| UC-0100-17 | On-premises consumption of alcohol (supper club) within Suite 110 | Approved by PC | April 2017 |
| UC-0080-17 | Dry cleaner | Approved by PC | March 2017 |
| UC-0587-16 | On-premises consumption of alcohol (supper club) within Suite 300 (subject site) | Approved by PC | October 2016 |
| UC-0487-11 | Recreational facility (laser tag) and arcade | Approved by PC | December 2011 |
| UC-1048-06 | On-premises consumption of alcohol (supper club) within Suite 300 – expired | Approved by PC | September 2006 |
| VC-2004-98 | On-premises consumption of alcohol (supper club) within Suite 110 – expired | Approved by PC | January 1999 |
| ZC-1898-96 | Reclassified 10 acres from R-E to C-1 zoning for a shopping center | Approved by BCC | December 1996 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-------------------|---------------------------|
| North | City of Las Vegas | C-1 | Commercial uses |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac) | R-1 & R-E (RNP-I) | Single family residential |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|------|----------------------------------|------------------------|--------------------------------------|
| East | Commercial Neighborhood | C-1 & C-2 | Restaurant & mini-warehouse facility |
| West | Commercial Neighborhood | C-1 | Commercial & office uses |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Use Permit #1

The sale of alcoholic beverages in conjunction with meals is common place within the restaurant industry. Furthermore, a similar use was previously approved in the same tenant suite. The use is compatible and appropriate with the existing and adjacent commercial uses and will not have an adverse or negative impact on the surrounding area or shopping center, and is separated by more than 200 feet from the residential uses to the south. Additionally, there is no direct access between the adjacent residential use and the shopping center; therefore, staff can support this request.

Use permit #2

Staff finds that the proposed request is consistent and compatible with the approved and existing uses within the shopping center and the surrounding area. The proposed use for a hookah lounge should not result in an adverse effect on adjacent properties as the use primarily faces north and west within the shopping center and is buffered by a portion of the commercial building and a street from the residential properties to the south; therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; if indoor entertainment can be heard outside, a special use permit for live entertainment shall be required; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

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

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

APPLICANT: VERIFIED LAS VEGAS

**CONTACT: VERIFIED LAS VEGAS, 8125 W. SAHARA AVE. #300, LAS VEGAS, NV
89117**

08/15/23 PC AGENDA SHEET

SERVICE BAR
(TITLE 30)

RENO AVE/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0341-APACHE 3 LLC:

USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant within a shopping center on a portion of 4.1 acres in a C-1 (Local Business) 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/jud/syp (For possible action)

RELATED INFORMATION:

APN:

163-30-601-010 ptn

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5135 S. Fort Apache Road, Suite 125
- Site Acreage: 4.1 (portion)
- Project Type: Service Bar
- Number of Stories: 1
- Square Feet: 1,200
- Parking Required/Provided: 170/175

Site Plan

The existing shopping center is located south of Reno Avenue and west of Fort Apache Road. Access to the shopping center is located via commercial driveways along the north property line (Reno Avenue) and the east property line (Fort Apache Road). The parcel was reclassified from R-E to C-2 zoning on the north half of the parcel and to C-1 zoning on the south half of the site via ZC-1287-01. Buildings A and B are 2 in-line retail buildings along the west property line that are oriented north to south, with the front of the buildings facing east toward Fort Apache Road. In addition, the northeast and southeast corners of the shopping center have identical designed retail buildings (Buildings C and D). There is an existing drive aisle and landscape strip along the west property line in between the existing residences to the west and Buildings A and B.

The applicant is requesting a service bar within an existing lease space on the southern portion of Building A (to the south of the site), which is classified as C-1 zoning. The proposed use is an addition to an existing restaurant, which has a capacity for 43 seats. The hours of operation are daily from 11:00 a.m. to 3:30 p.m. and 4:30 p.m. to 9:30 p.m. No outside dining is proposed with this application.

The applicant has applied for the service bar license with Clark County Business License; however, that application is pending land use approval.

Landscaping

Landscaping is located throughout the site and changes to the landscaping are neither required nor a part of this request

Elevations

The submitted photos depict stucco exterior walls, stone veneer columns, and black aluminum storefront and window systems.

Floor Plan

The floor plan depicts a service bar in conjunction with an existing restaurant with an overall area of 1,200 square feet. The applicant is not proposing any separate bar area for this suite.

Signage

Signage is not a part of this request.

Applicant's Justification

A use permit is required for a service bar in this zoning district. The applicant wishes to provide full service to their existing casual dining restaurant.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|----------------|----------------|
| UC-21-0539 | Supper club and hookah lounge | Approved by PC | November 2021 |
| UC-21-0151 | Reduced separation for outside dining for northernmost portion of Building B | Approved by PC | May 2018 |
| UC-0320-16 | Allowed on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant (C-1 zoned portion of the site) | Approved by PC | June 2016 |
| UC-0378-12 | Allowed on-premises consumption of alcohol (supper club) with a waiver to reduce the separation from on-premises consumption of alcohol (supper club) to a residential use (C-1 zoned portion of the site) - expired | Approved by PC | September 2012 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------|--|-----------------|----------------|
| UC-0485-11 | Reduced the separation from on-premises consumption of alcohol (supper club) to a residential use, and reduced separation from outside dining to a residential use (C-2 zoned portion of the site) - expired | Approved by PC | December 2011 |
| UC-0107-09 | Allowed on-premises consumption of alcohol (service bar) and reduced the separation of an outdoor dining area from a residential use (C-1 zoned portion of the site) | Approved by PC | March 2009 |
| UC-0203-08 | Reduced the separation between a convenience store and a residential use (C-2 portion of the site) | Approved by PC | April 2008 |
| VS-1098-06 | Vacated and abandoned government patent easements - recorded | Approved by PC | September 2006 |
| DR-0548-06 | Design review for an office and retail center, with a waiver of conditions of a zone change (ZC-1287-01) requiring right-of-way dedication to include 25.5 feet for Ali Baba Lane | Approved by BCC | May 2006 |
| ZC-1287-01 (ET-0304-04) | First extension of time of a zone change from R-E to C-2 zoning for a proposed shopping center | Approved by BCC | November 2004 |
| TM-0089-03 | 1 lot commercial subdivision | Approved by PC | April 2003 |
| VS-0285-03 | Vacated government patent easements - expired | Approved by PC | April 2003 |
| ZC-1287-01 | Reclassified the site from R-E to C-2 zoning for the northern portion of the site, and C-1 zoning for the southern half of site for a proposed shopping center. | Approved by BCC | January 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|--|
| North | Corridor Mixed-Use | C-2 & R-5 | Commercial development & multiple family residential |
| South | Corridor Mixed-Use | U-V | Mixed-use project |
| East | Corridor Mixed-Use | C-2 | Commercial shopping center |
| West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff does not anticipate any negative impacts to residential development to the west of the existing shopping center. Other suites in the same project site already have on-premises consumption of alcohol and the addition of a service bar to this suite is compatible to the existing building and the overall shopping center; therefore, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- No comment.

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: TNG LLC

CONTACT: TNG LLC, 5135 S. FT APACHE RD, #125, LAS VEGAS, NV 89148

08/15/23 PC AGENDA SHEET

SERVICE BAR
(TITLE 30)

SPRING MOUNTAIN RD/HAUCK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0368-PACIFIC ASIAN SQUARE INC:

USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with a restaurant within an existing retail center on 1.9 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Spring Mountain Road and the west side of Hauck Street within Spring Valley. JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

163-13-503-013; 163-13-503-014

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5130 Spring Mountain Road
- Site Acreage: 1.9
- Project Type: Service bar in conjunction with an existing restaurant tenant space
- Number of Stories: 1
- Square Feet: 6,250
- Parking Provided: 96

Site Plan

The plan depicts an existing retail building with place of worship at the east portion of the site. Access driveways are located on Spring Mountain Road and Hauck Street. The proposed use will be located within an existing restaurant tenant space at the northwest corner of the building. Parking is located to the south and east of the building.

Landscaping

There are no proposed or required changes to existing landscaping.

Elevations

The elevation plans depict an existing retail building with neutral exterior finishes. The retail building design consists of tilt up concrete panels and metal roofing material for the front facade. Aluminum storefront framing and commercial glazing are also a part of the storefront design.

Floor Plans

The proposed use is located within a 6,250 square foot restaurant tenant space within an existing 25,898 square foot retail and place of worship building. The tenant space includes dining areas, restrooms, and kitchen areas.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use will complement the existing restaurant use on the site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| WS-18-0879 | Animated wall sign | Denied by PC | January 2019 |
| ADR-0740-10 | Place of worship | Approved by ZA | August 2010 |
| WS-0200-10 | Reduced parking for a place of worship | Withdrawn by PC | August 2010 |
| UC-1125-97 | Carpet store (household merchandise) and variances for increased lot coverage, waived on-site required parking to be off-site, reduced front setback, and trash enclosure requirements application for adjacent building to the east | Approved by PC | August 1997 |
| ZC-0052-95 | Reclassified the site from R-E to C-1 zoning with a use permit for secondhand sales and furniture - use permit expired. | Approved by BCC | February 1995 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------------------|-----------------|---|
| North | Compact neighborhood (up to 18 du/ac) | R-3 | Multiple family residential |
| South | Neighborhood Commercial | C-1 & C-2 | Shopping center |
| East | Corridor Mixed-use | | Retail center |
| West | Corridor Mixed-use | R-4 & C-2 | Multiple family residential & retail center |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff does not anticipate any negative impacts to the surrounding area since the primary function of the suite will still be a restaurant. The service bar will be an ancillary use to the restaurant, where alcohol can only be served with meals. The proposed use is located within a retail and place of worship building. The site is also located within the Neighborhood Commercial planned land use category, where the Master Plan states primary land uses should be a mix of retail, restaurants, and other professional services; therefore, a restaurant with a service bar would be in harmony with the primary land uses stated.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- No comment.

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: THE MELTING POT, LLC
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS
VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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| | |
|--|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-23-0368</u> DATE FILED: <u>6/20/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>7/25/23</u> PC MEETING DATE: <u>8/15/23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u> |
| | PROPERTY OWNER NAME: <u>The Melting Pot, LLC (Lessee)</u> ADDRESS: <u>4275 Spring Mountain Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> |
| | APPLICANT NAME: <u>The Melting Pot, LLC (Lessee)</u> ADDRESS: <u>4275 Spring Mountain Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u> |
| | CORRESPONDENT NAME: <u>Kaempfer Crowell -- Jennifer Lazovich</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u> |

ASSESSOR'S PARCEL NUMBER(S): 163-13-503-013

PROPERTY ADDRESS and/or CROSS STREETS: 5190 Spring Mountain Road #103

PROJECT DESCRIPTION: Use permit for on-premise consumption of alcohol

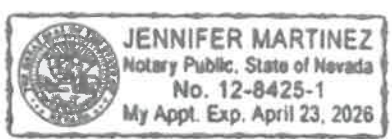
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 19th 2023 (DATE)

By Maya Kwong
NOTARY PUBLIC: Jennifer Martinez



*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.

LAS VEGAS OFFICE
1980 Festival Plaza Drive, Suite 650
Las Vegas, NV 89135
T: 702.792.7000
F: 702.796.7181

KAEMPFER

CROWELL

MISHA K. RAY
mray@kcnvlaw.com
D: 702.792.7000

June 16, 2023

VIA ELECTRONIC UPLOAD

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

PLANNER
COPY

VC-23-0368

*Re: Justification Letter – Special Use Permit for Alcohol, On-Premises
Consumption (Service Bar)
The Melting Pot LLC - APN: 163-13-503-013*

To Whom It May Concern:

Please be advised this office represents The Melting Pot LLC (the “Applicant”) in the above-referenced matter. The project is located within an existing shopping Center, Suite #103 of the Golden Sky Mall, located at 5130 West Spring Mountain Road near Hauck Street, more particularly described as Assessor’s Parcel Number (APN) 163-13-503-013 (“Site”). The Site is zoned C-1. The Applicant is requesting a special use permit for on-premises consumption of alcohol (service bar) within an existing supper club use.

SPECIAL USE PERMIT

Within C-1 zoning, a special use permit is required for on-premises consumption of alcohol (limited to a service bar). The Applicant proposes to continue the existing restaurant use on the Site, and to add a service bar component. The Applicant is primarily business is a restaurant, and wishes to add alcohol options to the menu. The Site otherwise remains unchanged

Thank you in advance for your consideration of this project, and please do not hesitate to contact this firm with any questions.

Sincerely,

KAEMPFER CROWELL



Misha K. Ray

MKR/amp

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08/15/23 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

JERRY TARKANIAN WAY/ HACIENDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0373-QMC HACIENDA HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Jerry Tarkanian Way and Fort Apache Road and between Hacienda Avenue and Diablo Drive within Spring Valley (description on file). JJ/nai/syp (For possible action)

RELATED INFORMATION:

APN:

163-29-301-014

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide patent easements located along the west, south, and east property lines. The patent easements are no longer needed for roadway access nor for utility installation, and the vacation of the patent easements is necessary to develop the site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------------|---|------------------|---------------|
| NZC-22-0090 | Reclassified 10.3 acres from R-E and R-2 to R-5 Zoning; with a design review and waivers for a multiple family residential development in the CMA Design Overlay District | Approved by PC | June 2022 |
| ET-20-400154 (NZC-0052-17) | First extension of time to reclassify 9.6 acres from R-E to C-2 zoning for a proposed office and retail complex - expired | Approved by BCC | February 2021 |
| ZC-20-0301 | Reclassified the western portion to C-P zoning; with a design review for an office complex on the entire site | Withdrawn by BCC | August 2020 |
| VS-20-0302 | Vacated and abandoned easements | Withdrawn by BCC | August 2020 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------------|--|-----------------|---------------|
| TM-20-500100 | 1 lot commercial tentative map | Withdrawn | August 2020 |
| ET-20-400043 (NZC-0052-17) | First extension of time to reclassify 9.6 acres from R-E to C-2 zoning for a proposed office and retail complex | Withdrawn | August 2020 |
| NZC-17-0052 | Reclassified 9.6 acres from R-E to C-2 Zoning for a proposed office and retail complex in the CMA Design and MUD-3 Overlay Districts; proposed office and retail complex - expired | Approved by BCC | April 2017 |
| VS-0238-16 | Vacated a drainage easement | Approved by PC | June 2016 |
| VS-0426-15 | Vacated and abandoned Lone Mesa Drive | Approved by BCC | August 2015 |
| VS-0390-15 | Vacated and abandoned a portion of Jerry Tarkanian Way | Approved by PC | August 2015 |
| NZC-0624-13 | Reclassified 50 acres from R-E to R-2 Zoning in the CMA Design and MUD-3 Overlay Districts for a single family residential development | Approved by BCC | December 2013 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|--------------------------------|
| North | Corridor Mixed Use | R-4 & R-E | Multiple family residential |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | C-2 & R-E | Offices building & undeveloped |
| East | Business Employment | C-2 | CC 215 & office complex |
| West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: QUARTERRA

CONTACT: KIMLEY HORN, 6671 LAS VEGAS BOULEVARD SOUTH, SUITE 320, LAS VEGAS, NV 89119

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VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | | |
|--|-----------------------|---|--|
| APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): | DEPARTMENT USE | APP. NUMBER: <u>VS-23-0373</u> | DATE FILED: <u>6/20/23</u> |
| | | PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> PC MEETING DATE: <u>8/15/23</u> BCC MEETING DATE: _____ FEE: <u>\$875</u> | TAB/CAC DATE: <u>7/25/23</u> <u>6pm</u> |

| | |
|-----------------------|---|
| PROPERTY OWNER | NAME: <u>QMC Hacienda Holdings, LLC</u> |
| | ADDRESS: <u>8275 South Eastern Avenue #200</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> |
| | TELEPHONE: _____ CELL: _____ |
| | E-MAIL: _____ |

| | |
|------------------|---|
| APPLICANT | NAME: <u>Quarterra Multifamily</u> |
| | ADDRESS: <u>95 Enterprise Suite #200</u> |
| | CITY: <u>Alizo Viejo</u> STATE: <u>CA</u> ZIP: <u>92656</u> |
| | TELEPHONE: <u>(858) 354-9626</u> CELL: _____ |
| | E-MAIL: <u>Paul.Ogier@quarterra.com</u> REF CONTACT ID #: _____ |

| | |
|----------------------|---|
| CORRESPONDENT | NAME: <u>Kimley-Horn</u> |
| | ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> |
| | TELEPHONE: <u>(702) 623-7233</u> CELL: _____ |
| | E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 163-29-301-013 & 014, & 163-29-315-019

PROPERTY ADDRESS and/or CROSS STREETS: Hacienda & Jerry Tarkanian

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

[Signature]
Property Owner (Signature)*

Ryan Gatchalian
Property Owner (Print)

STATE OF NEVADA
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC: _____

See Attached Notary
Acknowledgment Certificate

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

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

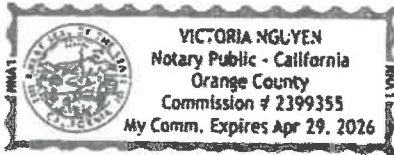
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Orange }
On March 27, 2023 before me, Victoria Nguyen, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Ryan Gatchalian
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Kimley»Horn

May 17, 2023

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

**RE: Hacienda & 215
Justification Letter for Vacation Application
APNs: 163-29-301-013, 163-29-301-014 and 163-29-315-019**

To whom it may concern,

Kimley-Horn, on behalf of QMC Hacienda Holdings, is respectfully submitting this Justification Letter in accordance with the Vacation Application. The subject project is a proposed multi-family development located at the SWC Hacienda Avenue and Jerry Tarkanian Way (APNs: 163-29-301-013, 163-29-301-014 and 163-29-315-019) herein referred to as the "Site."

A Vacation Application is also being requested and processed for this project to vacate the following easements:

- Roadway & Public Utilities Easement per U.S. Patent No. 1167040, OR:118:97213

The patent easement is being vacated because it is no longer needed for roadway access or utility installation and will now be utilized for the proposed multi-family development.

The Vacation Application and corresponding documents are included with this submittal for your review.

We look forward to working with Comprehensive Planning for a favorable recommendation for the proposed development. Please do not hesitate to contact me at (702) 623-7233 if you have any questions or require any additional information.

Sincerely,

Kimley-Horn and Associates



Eric Hopkins, P.E.
Owner/Developer Correspondent

CC: Jon Tanury, Quarterra
Mikal Kintner, Kimley-Horn
Erica Goff, Kimley-Horn

**PLANNED
COPY**

08/15/23 PC AGENDA SHEET

HOOKAH LOUNGE/SUPPER CLUB
(TITLE 30)

JONES BLVD/CHEROKEE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400099 (UC-20-0231)-HORDEN CATHERINE TRUST, LLC:

WAIVER OF CONDITIONS of a use permit to remove a condition limiting the hours of operation to be between 4:00 p.m. and 3:00 a.m. 7 days a week for a supper club and hookah lounge on a portion of 2.5 acres in a C-1 (Local Business) Zone.

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

RELATED INFORMATION:

APN:

163-13-215-002 ptn

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

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

History & Site Plans

The applicant requested to remove the limitation on hours of operation (4:00 p.m. to 2:00 a.m) that was a condition of approval of UC-20-0231. The previous waiver of conditions, WC-22-400135, was approved with the hours of operation limited to 3:00 a.m. The planning commission placed a 6 month review on the project and planned to reconvene in August to decide if extending the hours to 4:00 a.m. was compatible with the surrounding neighborhood and existing uses. An application for review has not been submitted at this time. However, the applicant has resubmitted a request for business hours be extended to 4:00 a.m.

The plans show an existing 3,200 square foot hookah lounge and attached 2,400 square foot restaurant with a supper club located within an existing commercial center. The lease area is in

the central portion of an existing in-line retail building which is located near the eastern portion of the property. There is a residential development located directly to the east of the existing commercial center. The subject building shares parking with 1 other pad site building at the corner of Jones Boulevard and Cherokee Avenue. The commercial center has access from both Jones Boulevard and Cherokee Avenue with shared cross access with the property to the south.

Previous Conditions of Approval

Listed below is the approved condition for WC-22-400135 (UC-20-0231):

Current Planning

- 6 months to review as a public hearing;
- Hours of operation limited to 4:00 p.m. to 3:00 a.m.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

Current Planning

- Remove the time limit.

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

Current Planning

- 6 months to review as a public hearing.
- Hours of operation to be limited to 4:00 p.m. to 2:00 a.m. 7 days a week.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

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

Applicant's Justification

The applicant is requesting to remove the limitation on hours of operation as conditioned with the approval of UC-20-0231. The applicant would like to operate the business until 4:00 a.m. where the current condition does not allow operations after 3:00 a.m. The original application

was submitted by another operator and the applicant states that the current time limit is keeping the business from competing with other similar uses that stay open to later hours.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|--|------------------|----------------|
| WC-22-400135 (UC-20-0231) | Waived previously approved conditions for a supper club with a hookah lounge | Approved by PC | February 2023 |
| AR-21-400020 (UC-20-0231) | 6 month review and remove time limit | Approved by PC | April 2021 |
| UC-21-0749 | Service bar with a restaurant within a retail center | Approved by PC | February 2022 |
| UC-20-0231 | Supper club with a hookah lounge and a reduced separation to a residential use | Approved by PC | July 2020 |
| UC-19-0801 | Supper club with a hookah lounge and a reduced separation to a residential use | Withdrawn at BCC | January 2020 |
| UC-0513-16 | Service bar | Approved by PC | September 2016 |
| UC-0588-15 | Supper club and hookah lounge - expired | Approved by PC | October 2015 |
| UC-0389-13 | Secondhand sales | Approved by PC | August 2013 |
| UC-0265-08 | Supper club and reduced separation from a residential use | Approved by PC | May 2008 |
| UC-0139-08 | Banquet facility - expired | Approved by PC | March 2008 |
| UC-1788-05 | Service bar | Approved by PC | December 2005 |
| UC-0779-02 | Service bar | Approved by PC | July 2002 |
| ZC-0288-99 | Reclassified a portion of the commercial center to C-2 zoning | Approved by BCC | May 1999 |
| DR-1664-96 | Shopping center | Approved by PC | November 1996 |
| ZC-0158-96 | Reclassified the site to C-1 zoning | Approved by BCC | March 1996 |

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Staff believes that the upcoming review on this case should occur first to determine if the extended hours of operation are detrimental to the welfare of those living in the surrounding area; therefore, staff is unable to support the request.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: REDWINE LLC, DBA CRUSH HOOKAH LOUNGE

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

6



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 checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) UC-20-0231-CHOUL, LLC (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | APP. NUMBER: <u>WC-23-400099</u> DATE FILED: <u>6/15/23</u> PLANNER ASSIGNED: <u>JG H</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>7/25/23</u> PC MEETING DATE: <u>8/15/23</u> <u>6:00PM</u> BCC MEETING DATE: _____ FEE: <u>\$475</u> |
| | PROPERTY OWNER NAME: <u>Choul, LLC</u> ADDRESS: <u>7983 Rio Rico Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-751-2825</u> CELL: <u>702-751-2825</u> E-MAIL: <u>ohanarealtym@gmail.com</u> |
| | APPLICANT NAME: <u>RedWine LLC, dba Crush Hookah Lounge</u> ADDRESS: <u>3650 S. Jones Blvd., Suites 10-14</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(408) 368-6983</u> CELL: <u>(408) 368-6983</u> E-MAIL: <u>admin@crushhookahlounge.com</u> REF CONTACT ID #: _____ |
| AGENT NAME: <u>Jennifer Gaynor, J. Gaynor Law, Ltd.</u> ADDRESS: <u>1810 S. 7th Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>(702) 569-3208</u> CELL: <u>(702) 569-3208</u> E-MAIL: <u>jennifer@jgaynorlaw.com</u> REF CONTACT ID #: _____ | |

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

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


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

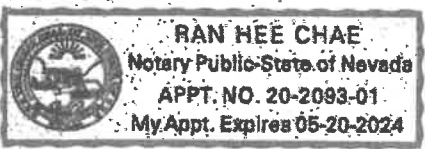
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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


 Property Owner (Signature)

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

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

NOTARY PUBLIC: 



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



1810 S. 7th Street
Las Vegas, Nevada 89104
(702) 608-2920
jennifer@jgaynorlaw.com
www.jgaynorlaw.com

October 7, 2022

VIA Electronic Submittal

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

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

To Whom It May Concern:

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

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

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

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

PLANNED
COUNTY

RedWine LLC, dba Crush Hookah Lounge Justification Letter

use is in line with the zoning of this commercial center and my client appreciates your consideration.

Please contact Jennifer Gaynor at jennifer@jgaynorlaw.com or 702-569-3208 if you have any questions or if we may provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Gaynor', with a large, stylized 'C' or flourish to the right.

Jennifer Gaynor
J. Gaynor Law, Ltd.

08/15/23 PC AGENDA SHEET

RETAINING WALL HEIGHT
(TITLE 30)

RUSSELL RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0353-PN II, INC:

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height in conjunction with an approved single family residential development on a portion of 12.0 acres in an R-2 (Medium Density Residential District) Zone within the CMA Design Overlay District.

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

RELATED INFORMATION:

APN:

163-34-101-002

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of a retaining wall to 6 feet where a maximum height of 3 feet is allowed per Section 30.64.050 for a maximum combined height of 12 feet 8 inches (6 foot retaining wall with 6 foot 8 inch previously approved screen wall) (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12
- Project Type: Increase retaining wall height
- Wall Height (feet): 12 feet 8 inches

History, Site Plans, & Request

The site was originally approved for a zone change to R-2 (Medium Density Residential) Zone by NZC-22-0676 for an 80 lot, single family residential detached subdivision. A waiver of development standards was also approved with the zone change to increase the screen wall height to 6 feet 8 inches where 6 feet would be allowed. The approved plans depict a single family residential development totaling 80 single family lots and 11 common element lots on 12 acres. The density of the overall development is shown at 6.7 dwelling units per acre. The lots

range in size from a minimum of 4,179 square feet to a maximum of 12,049 square feet, with an average lot size of 4,956 square feet. Access to the development is shown from Russell Road via Tioga Way to the northeast. A 5 foot wide pedestrian access is also provided to Buffalo Drive. The lots within the subdivision are shown to be served by 42 foot wide internal public streets, which include an attached sidewalk on 1 side of each internal street.

The applicant is requesting the screen wall to be erected on top of a 6 foot retaining wall, for a total wall height of 12 feet 8 inches (at maximum height). The site plans provided depict 2 lots.

The first proposed location is along the north property line of lot 17, located on the western portion of the site, which separates the lot from the neighboring parcel to the north APM 163-34-101-001. The requested height of the combination retaining/screen wall for this lot is 12 feet 8 inches (6 foot retaining wall with a 6 foot 8 inch previously approved screen wall).

The second proposed location is along the north property line of lot 67, located on the eastern portion of the site, which separates the lot from the neighboring existing residential lot to the north APN 163-34-115-007. The requested height of the combination retaining/screen wall for this lot is 11 feet (5 foot retaining wall with a 6 foot screen wall).

Landscaping

There are no changes proposed to the landscaping approved with NZC-22-0676.

Applicant's Justification

The applicant states that the site was originally graded to help minimize drainage impacts to the properties to the north. In doing so, 2 areas that require excess retaining walls were created. By increasing the allowable retaining wall height, the applicant aims to provide positive drainage away from the northern properties and onto established roadways.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|------------|
| NZC-22-0676 | Reclassified to R-2 zoning, with a design review and waivers | Approved by BCC | March 2023 |
| TM-22-500223 | 80 lot single family residential subdivision | Approved by BCC | March 2023 |
| VS-22-0677 | Vacated and abandoned rights-of-way | Approved by BCC | March 2023 |

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

The grading originally approved for the property by NZC-22-0676 was increased to 4.6 feet where a maximum of 3 feet is the standard. By doing so, the applicant wanted to provide positive drainage away from the surrounding properties and onto adjacent roadways. The proposed increase adjacent to residential (northeast of the site) is only 2 feet overall (11 feet where 9 feet is the maximum combined allowed) and is considered minimal. Additionally, a taller wall on the northwest portion of the site will protect the residential lots within the proposed site from the adjacent commercial lots to the northwest. Essentially, the requested increase in the retaining wall height is necessary to provide the proposed drainage of the property to not negatively impact the properties to the north. With these factors in mind, staff can support this request.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

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

Public Works - Development Review

- No comment.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

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

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

APPLICANT: PN II, INC.

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

7

| | |
|--|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>ws-23-0353</u> DATE FILED: <u>6/5/23</u> PLANNER ASSIGNED: _____ TABICAC: <u>SPRING VALLEY</u> TABICAC DATE: <u>7/25/23</u> PC MEETING DATE: <u>8/15/23 @ 7:00 PM.</u> @ 6:00 BCC MEETING DATE: _____ ACCEPTED BY: <u>MNO</u> FEE: <u>\$475.00</u> |
| | PROPERTY OWNER NAME: <u>PN II, Inc.</u> ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-804-7554</u> CELL: _____ E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u> |
| | APPLICANT NAME: <u>PN II, Inc.</u> ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-804-7554</u> CELL: _____ E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u> REF CONTACT ID #: _____ |
| CORRESPONDENT NAME: <u>Westwood Professional Services - Roxanne Leigh</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____ | |

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

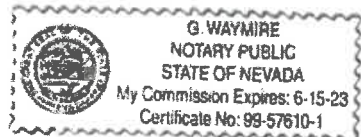
PROPERTY ADDRESS and/or CROSS STREETS: Buffalo/Russell

PROJECT DESCRIPTION: Residential Subdivision

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

[Signature] Brenin Anderson
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON June 1st 2023 (DATE)
 By Brenin Anderson
 NOTARY PUBLIC: [Signature]



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

June 6, 2023
Current Planning Division
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

Re: **Buffalo Russell, an 80-lot single family, detached residential subdivision
Justification Letter for Waiver of Development Standards.
Westwood Project No. PUL2209-000**

PLANNER
COPY

To Whom It May Concern,

Westwood Professional Services, on behalf of our client, PN II INC, respectfully submits this application for a Waiver of Development Standards.

Project Description: The project site associated with this request is approximately 11.93 gross acres and is APN 163-34-101-002. It is located in a portion of Section 34, Township 21 South, Range 60 East, M.D.M., Clark County, Nevada. This development will consist of 80 lots with a gross density of 6.71 dwelling units/acre. Zoning was approved with NZC-22-0676, Tentative map was approved with TM-22-500223 and Vacations were approved with VS-22-0677 on March 20, 2023.

Waiver of Standards

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

1. Title 30 Section 30.64.050.4.A – Site Landscape and Screening Standards

Standard: Retaining walls above the 3-foot maximum standard are permitted subject to the following... walls adjacent to developed properties when the finished grade of the developing property is lower or higher than the finished grade of the developed property shall only be permitted with the approved of an Administrative Minor Deviation application.

Request: Allow for a 6-foot 8-inch screen wall to be built on a 6-foot retaining wall, for a total of 12-feet 8-inches tall.

Justification: In an effort to minimize drainage impacts to the adjacent properties to the north, this development was graded to provide positive drainage away from those properties and onto established roadways. This created two limited areas along the perimeter that require retaining walls which exceed the allowable standard (please see enclosed site plan). This grading design has been reviewed and approved with the technical drainage study (PW23-11325) and maintains the requested fill of 4.6-feet as approved with the design review under NZC-22-0676.

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

Sincerely,
WESTWOOD PROFESSIONAL SERVICES



Jessica Peeler, Graduate Engineer

Cc: Corey Lieber, P.E., Westwood Professional Services
Roxanne Leigh, Westwood Professional Services
Kendra Saffle, PN II, INC.

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08/15/23 PC AGENDA SHEET

NON-DECORATIVE FENCE
(TITLE 30)

SPANISH HEIGHTS DR/SPANISH MOUNTAIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0365-YAMAGATA GENE H FAMILY TRUST & YAMAGATA GENE H TRS:

WAIVER OF DEVELOPMENT STANDARDS for the following: 1) allow a non-decorative fence; and 2) increase fence height within the front yard in conjunction with a single family residence on 1.0 acre in an R-E (Rural Estates Residential) Zone in the CMA Design Overlay District.

Generally located on the north side of Spanish Heights Drive, approximately 2000 feet south of Spanish Mountain Drive within Spring Valley. JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

163-29-617-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a non-decorative fence where a decorative fence (a fence with not less than 50% of the vertical surface of the fence open) is required within 15 feet of the front property line per Table 30.64-1.
2. Increase fence height to 6 feet 8 inches where a maximum of 6 feet is permitted within 15 feet of the front property line (a 13% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5244 Spanish Heights Dr.
- Site Acreage: 1
- Project Type: Non-decorative fence
- Fence Height (feet): 6 feet 8 inches

Site Plans

The plans depict a single family residence under construction. The subject site is 1 acre and within the Spanish Hills development. The site is located at the end of the cul-de-sac, more specifically on the northeast portion of the terminus cul-de-sac bulb. The applicant is requesting

to install a solid 6 foot high block wall along the front yard of the property. Additionally, the height of the CMU wall pilasters is 6 feet, 8 inches; therefore requiring a request for a waiver to increase the structure's height.

Elevations

The fence is a 6 foot high wall and is comprised of CMU block with vertical CMU wall pilasters. In one of the sections where the pilasters are located, the height reaches 6 feet 8 inches. On the east side of the front property is an internal circular driveway with an entry gate and an exit gate for vehicles. Additionally, there is another driveway access and gate on the west side of the front property.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this request to deviate from the required standard is for security purposes and feels that this request will not create an unsafe condition for the adjacent homes. Also, it will not disturb the harmony of the surrounding area as other homes in the vicinity have similar front walls that enhance the overall look and appearance of the area.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|-----------|
| UC-0604-01 | Planned Unit Development on 16.4 acres | Approved by PC | June 2001 |

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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.

Staff finds that the height and design of the proposed block wall along the front property will not be detrimental to the overall aesthetics of the development. This PUD is designed with custom homes that have unique features and designs which compliment the subject residential subdivision. The proposed wall is curved due to the location of the site; therefore, it does not create a sense of blank block wall façade, and the increase in height of the proposed wall only affects 1 CMU wall pilaster. Additionally, the subject site is at the end of a cul-de-sac fronting a common lot. Consequently, it will not adversely impact any of the neighbors; therefore, staff can support these requests.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: BRYAN CONSTRUCTION INC.

**CONTACT: BRYAN CONSTRUCTION INC., 4485 WEST SUNSET ROAD, LAS VEGAS,
NV 89118**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

8

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | |
|--|-----------------------|---|
| <p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p> | STAFF | <p>APP. NUMBER: <u>WS-23-0365</u> DATE FILED: <u>6-15-2023</u></p> <p>PLANNER ASSIGNED: <u>ASB</u></p> <p>TAB/CAC: <u>Spr... V...</u> TAB/CAC DATE: _____</p> <p>PC MEETING DATE: <u>9-15-2022</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$475</u></p> |
| | PROPERTY OWNER | <p>NAME: <u>Gene H Yamagata Family Trust</u></p> <p>ADDRESS: <u>5244 Spanish Heights</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>7023799866</u> CELL: <u>7023799866</u></p> <p>E-MAIL: <u>dean@bryanconst.com</u></p> |
| | APPLICANT | <p>NAME: <u>Gene H. Yamagata</u></p> <p>ADDRESS: <u>5180 Spanish Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: _____ CELL: <u>7023799866</u></p> <p>E-MAIL: <u>dean@bryanconst.com</u> REF CONTACT ID #: _____</p> |
| | CORRESPONDENT | <p>NAME: <u>Dean Bryan</u></p> <p>ADDRESS: <u>4485 West Sunset Road</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: _____ CELL: <u>70237499866</u></p> <p>E-MAIL: <u>dean@bryanconst.com</u> REF CONTACT ID #: _____</p> |

ASSESSOR'S PARCEL NUMBER(S): 16329617001

PROPERTY ADDRESS and/or CROSS STREETS: 5244 Spanish Heights

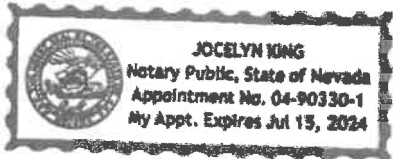
PROJECT DESCRIPTION: Build front block wall solid for 6ft tall solid where 3 solid and 3ft open is in the design standards.

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

[Signature] GENE H. YAMAGATA
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON JANUARY 10, 2023 (DATE)
 By GENE YAMAGATA



NOTARY PUBLIC: [Signature]

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

APR 23 - 00574

Justification Letter

5244 Spanish Heights Drive Yamagata Residence

The wall is located 10' from the back of curb or greater along the cul de sac. The driveway connects to Spanish Heights Drive on the north, center and south sides of the lot. The wall includes planter boxes and wall returns for additional decoration. The owner is in his 80's and is very concerned with security. The additional 3' of solid wall above 3' retaining wall, where only 3' of solid wall is permitted, will not create an unsafe condition. The proposed wall will not disturb the harmony of the neighborhood as the adjacent homes have done similarly on their property. We believe with the decorative wall and landscape it will not negatively impact the character of the surrounding area but enhance the overall look and appearance.

PLANNER
COPY

WS-23-0365

08/15/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENCE
(TITLE 30)

PALMYRA AVE/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0366-BECHERER CHRISTOPHER DAVID & MCDONOUGH HEIDI ANN:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building separation; and 2) allow 2 driveways in conjunction with an existing single family residence on 0.4 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the west side of Redwood Street, 120 feet south of Palmyra Avenue within Spring Valley. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-11-410-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation between a detached accessory structure (carport) and an existing residence to 1 foot where 6 feet is required per Table 30.40-2 (an 83% reduction).
2. Allow 2 driveways where 1 driveway is allowed per Uniform Standard Drawing 222.1 (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3127 Redwood Street
- Site Acreage: 0.4
- Project Type: Accessory structure (carport)
- Building Height (feet): 14
- Square Feet: 576

History & Site Plans

The plans depict an existing single family residence on 0.4 acres in an R-D zone along Redwood Street. Access is from Redwood Street, and a waiver request to add a second driveway is to allow access for parking a Recreational Vehicle on the property without having to utilize the existing driveway. The existing single family residence is approximately 2,815 square feet with

the existing accessory structure (carport) being 576 square feet. The plans depict a building separation of 1 foot between the carport and the main residence, which necessitates another waiver request. The accessory structure meets the side yard setback of 5 feet and the proposed driveway meets the minimum required 20 feet in length. The applicant had a permit for a smaller carport which passed inspection; however, the RV did not fit into the carport as built and the applicant came back for a review. However, by widening the carport it would be closer to the residence and does not meet the required separation.

Landscaping

Landscaping is not a part of this application. The plans note the location of 2 new trees within the front yard.

Elevations

The accessory structure is 14 feet in height. On the western exterior is a partial metal wall to screen the vehicle from the street. The structure is open on the eastern exterior side and is partially shielded by landscaping from the neighbors.

Floor Plans

The accessory metal structure has an open floor plan with open sides on the east, north, and west. The southern exterior has a partial wall on the west exterior.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they are requesting a waiver to allow for a second driveway for their RV cover that was installed and inspected in September 2022. The applicant states they bought the accessory structure to protect their property.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|----------------|-------------|
| VC-1104-95 | Reduce lot area of 14 lots to 9,300 square feet where 10,000 is the minimum; and permit a wall height of 10 feet where a maximum of 9 feet is the maximum in the rear yard of Lot 1 | Approved by PC | August 1995 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------------|---|-----------------|---------------------------|
| North, South & West | Low-Intensity Suburban Neighborhood (up to 5 du/ac) | R-D | Single family residential |
| East | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

Building separations help to preserve the appeal and integrity of a neighborhood, as well as moderate visual impacts and possible fire safety issues. The applicant has not proposed to provide any mitigating measures to buffer the structure from the street; therefore, staff recommends denial.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to allowing a second driveway for this residential property on Redwood Street. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 6 months to complete the permit and inspection process.
- 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

- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RYAN BRADLEY VOZZOLA

**CONTACT: RYAN VOZZOLA, PATIO COVERS 4 LESS, 6466 WINDY ROAD, SUITE A
& B, LAS VEGAS, NV 89119**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

9

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | |
|---|-----------------------|--|
| <p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p> | STAFF | <p>APP. NUMBER: <u>WS-23-0366</u> DATE FILED: <u>6/20/23</u></p> <p>PLANNER ASSIGNED: <u>SUD</u></p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>7/25/23</u></p> <p>PC MEETING DATE: <u>8/15/23</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$ 475</u></p> |
| | PROPERTY OWNER | <p>NAME: <u>Chris Bercherer</u></p> <p>ADDRESS: <u>3127 REDWOOD St</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>702-217-7858</u> CELL: _____</p> <p>E-MAIL: <u>DOCKSIDEPLUMBING@AOL.COM</u></p> |
| | APPLICANT | <p>NAME: <u>Chris Bercherer</u></p> <p>ADDRESS: <u>3127 REDWOOD St</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>702-217-7858</u> CELL: _____</p> <p>E-MAIL: <u>DOCKSIDEPLUMBING@AOL.COM</u> REF CONTACT ID #: _____</p> |
| | CORRESPONDENT | <p>NAME: <u>PATIO COVERS 4 LESS</u></p> <p>ADDRESS: <u>6466 WINDY ROAD SUITE A&B</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-743-5771</u> CELL: _____</p> <p>E-MAIL: <u>YOURNEWPATIO@GMAIL.COM</u> REF CONTACT ID #: _____</p> |

ASSESSOR'S PARCEL NUMBER(S): 163-11-410-006

PROPERTY ADDRESS and/or CROSS STREETS: 3127 REDWOOD STREET LAS VEGAS, NV 89146

PROJECT DESCRIPTION: ACCESSORY/SECONDARY DRIVEWAY ADDITION

(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.

CHRIS BECHERER

Property Owner (Signature)*

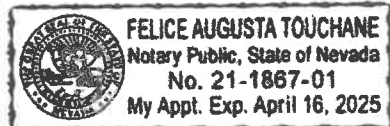
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON June 14, 2023 (DATE)

By Chris Becherer

NOTARY PUBLIC Felice Augusta Touchane



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

WS-23-0364

To Whom it may concern,

We are requesting a waiver of Development Standards defined in Title 30. The request is to loosen the regulation of offset to my existing structure, (home).

We have an RV that we are building this metal structure to protect our property and be able to open the slide to be able to maintain, clean and use without moving to the street to perform some of these actions. We will still maintain offsets to the street and adjoining property.

Thank you for your consideration

Chris Becherer and Heidi McDonough

6/12/23

WS-23-0366

Per Mr. Dodson we are asking for a waiver of development standards for additional driveway for our rv cover that we had installed and inspected and passed back September 2022. The rv cover was too small we were unable to drive unit in and open doors.

This waiver is for an additional or accessory driveway.

Thank you,

A handwritten signature in black ink, appearing to read "Chris Becherer", with a long horizontal flourish extending to the right.

Chris Becherer

3127 Redwood Street

Las Vegas NV 89146

910-616-4435

10

08/16/23 BCC AGENDA SHEET

VEHICLE SALES
(TITLE 30)

CIMARRON RD/SUNSET ROAD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0362-NEVADA AUTO REAL ESTATE INVESTMENTS, LLC:

USE PERMIT to reduce the separation to a residential use.

DESIGN REVIEWS for the following 1) vehicle sales facility, 2) vehicle maintenance facility 3) vehicle wash facility; 4) alternative parking lot landscaping, and 5) finished grade on a portion of 8.6 acres in a C-2 (CMA Design Overlay) Zoning District.

Generally located on the north side Rafael Rivera Way, 350 feet west of Warbonnet Way within Spring Valley. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-501-012; 176-04-501-020 ptn

USE PERMIT:

1. a. Reduce the separation from a residential use for a vehicle maintenance facility to 71 feet where 200 feet is required per Table 30.44-1 (a 65% reduction).
- b. Reduce the separation from a residential use for a vehicle wash facility to 120 feet where 200 feet is required per Table 30.44-1 (a 40% reduction).

DESIGN REVIEWS:

1. Vehicle sales facility.
2. Vehicle maintenance facility.
3. Vehicle wash facility.
4. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
5. Increase finished grade to 54 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 50% increase).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE & BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 8056 Rafael Rivera Way
- Site Acreage: 16 (entire site)/2.4 (portion)

- Project Type: Vehicle sales, vehicle maintenance, and vehicle wash
- Building Height (feet): 40
- Square Feet: 59,306
- Parking Required/Provided: 145/502 (366 display vehicles)

Site Plans

The plans depict a proposed new 59,000 square foot auto dealership facility located on Rafael Rivera Way west of Warbonnet Way. The dealership will consist of vehicle sales and service, parts storage, and a carwash tunnel. The site will include 145 required parking spaces and 366 inventory and display spaces, for a total of 511 parking spaces on-site. There will be EV charging stations accessible for customer and service use on-site. There is an existing auto dealership located on the adjacent property east of this proposed project. Access is from Rafael Rivera Way. The current C-2 zoned parcel is where the dealership, vehicle maintenance, and vehicle wash are in the north central portion of the parcel. The existing M-D zoned area of the northwest portion of the site is for vehicle display only.

Landscaping

The plans depict landscaping along Rafael Rivera Way at 15 feet in width behind attached sidewalk. Landscaping is shown along the ingress/egress driveway along the sides with Palm trees and shrubs. Large trees are provided along the western property line per Figure 30.64-11. The applicant has provided a total of 85 large trees in excess of the required, per Code. Landscaping is also proposed along the east parcel lines that separate the 2 auto dealerships and along the perimeters of the back lot for display purposes.

Elevations

The plans depict a vehicle sales and maintenance facility with the elevations showing composite metal panels and roll-up doors consisting of decorative aluminum composite material, stucco, and aluminum framed glass storefronts. A 4 foot wrought iron fence is noted along Sunset Road and does not have ingress/egress access as shown on the plans.

Floor Plans

The plans depict offices, indoor vehicle display area, service reception, breakroom, restrooms, and the back area for vehicle maintenance.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a new 59,000 square foot auto dealership facility will be located on Rafael Rivera Way west of Warbonnet Way. The dealership will consist of vehicle sales and service, parts storage, and a carwash tunnel. The site will include 145 required parking spaces and 366 inventory and display spaces, for a total of 511 parking spaces on-site. There will be EV charging stations accessible for customer and service use on-site.

In addition, a design review for increased grade is requested as the site will require more than 36 inches of fill. This is needed to ensure that the building is set high enough above the grade on

Sunset Road and Rafael Rivera Way for positive drainage and provide adequate flood protection. As part of the design review, cross sections have been provided and the maximum fill is anticipated to be 4.46 feet (53.52 inches) which is an increase over the 36 inches of 1.46 feet (18.98 inches). Due to what may be unforeseen conditions, the applicants are requesting a maximum fill height of 5 feet (60 inches) which is an increase over the 36 inches of 2 feet. There is an existing auto dealership located on the adjacent property east of this proposed project (215 Desert Chrysler Dodge Ram). This proposed project (215 Desert Nissan) will be consistent and compatible with the character of the community.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|----------------|
| TM-22-500191 | Commercial subdivision | Approved by BCC | November 2022 |
| WS-0069-16 | Increased area for an animated sign | Approved by BCC | March 2016 |
| WS-0856-15 | Increased the height and size of 2 freestanding signs | Approved by BCC | February 2016 |
| WS-0707-15 | Comprehensive sign package for an approved vehicle sales, maintenance, and wash facility (automobile) | Approved by BCC | December 2015 |
| UC-0144-15 | Vehicle sales, maintenance, and wash facility (automobile) | Approved by BCC | April 2015 |
| UC-0625-14 | Vehicle sales and maintenance facility on the south half of the site and reduced the separation of a vehicle maintenance facility from a residential use | Approved by BCC | August 2014 |
| NZC-0126-08 | Reclassified the north half of the site from M-D to R-4 zoning - expired | Approved by BCC | September 2008 |
| ZC-1116-05 | Reclassified the south half of the site to C-2 zoning for a future commercial development | Approved by BCC | August 2005 |
| ZC-1234-99 | Reclassified the north half of the site to M-D zoning | Approved by BCC | December 1999 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|---|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Single family residential |
| South | Business Employment | C-2 | CC 215 & undeveloped |
| East | Business Employment | R-4 & C-2 | Multiple family residential & vehicle sales |
| West | Corridor Mixed-Use | R-4 | Multiple family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

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

The vehicle maintenance facility for the dealership will have an approximate 71 feet separation to the existing residential uses to the west. Likewise, the proposed separation for the vehicle wash facility is approximately 120 feet separated from the existing residential uses to the west where the proposed vehicle wash is private use by the dealership and will not have stacking vehicles at the entrance. A separation to the residential uses to the south is not necessary due to the buffering from CC 215. A landscape buffer is provided along the western property line per Code that will help buffer any impacts. The existing zoning to the north and east is currently C-2 and M-D with an existing R-4 residential development to the east of the adjacent vehicle sales and maintenance facility. The proposed uses in part conform to or comply with Policy SV-1.5: Neighborhood services and employment options, whereby, this application promotes development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet the needs of the local community. Therefore, staff supports this request.

Design Reviews #1, #2, & #3

The design of the vehicle sales and maintenance facility has enhanced architecture including, but not limited to vertical elements, decorative fascia's, or parapets. The design of the proposed facilities use enhanced architecture including, but not limited to vertical elements, decorative fascia's, and parapet walls with materials that reduce the level of services to reduce water usage, low energy consumption, and reduction of waste. Staff can support these requests.

Design Review #4

Review of the landscape plans show large trees to be equitably distributed and dispersed throughout the perimeter of the development in lieu of parking lot landscape islands. The development requires 25 large trees within the interior and perimeter of the site, where 85 trees are provided; therefore, staff recommends approval.

Public Works - Development Review

Design Review #5

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Add an additional row of trees per Figure 30.64-12 along the west property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-20177;
- 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;
- Comply with approved traffic study PW23-12552;
- Full off-site improvements;
- Right-of-way dedication to include 11 feet for Rafael Rivera Way;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway Frontage Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0229-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JOHN MAHONEY ARCHITECT
CONTACT: JOHN MAHONEY ARCHITECT, 850 W. ELLIOT ROAD #108, TEMPE, AZ
85284

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

10

| | |
|---|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-23-0362</u> DATE FILED: <u>6/15/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>7/25/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8/16/23</u> FEE: <u>\$ 1,350</u> |
| | PROPERTY OWNER NAME: <u>215 Property, LLC</u> ADDRESS: <u>4335 Wagon Trail Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>toni@215autos.com</u> |
| | APPLICANT NAME: <u>John Mahoney Architect, LLC</u> ADDRESS: <u>850 W. Elliot Road, Suite 108</u> CITY: <u>Tempe</u> STATE: <u>AZ</u> ZIP: <u>85284</u> TELEPHONE: <u>(480) 345-8457</u> CELL: <u>(480) 203-0734</u> E-MAIL: <u>garry@mahoneyarch.com</u> REF CONTACT ID #: _____ |
| CORRESPONDENT NAME: <u>John Mahoney Architect, LLC</u> ADDRESS: <u>850 W. Elliot Road, Suite 108</u> CITY: <u>Tempe</u> STATE: <u>AZ</u> ZIP: <u>85284</u> TELEPHONE: <u>(480) 345-8457</u> CELL: <u>(480) 203-0734</u> E-MAIL: <u>garry@mahoneyarch.com</u> REF CONTACT ID #: _____ | |

ASSESSOR'S PARCEL NUMBER(S): 176-04-501-012

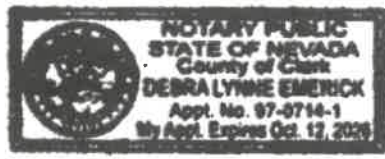
PROPERTY ADDRESS and/or CROSS STREETS: Rafael Rivera Way / Warbonnet Way

PROJECT DESCRIPTION: New auto dealership - New building / Site Work

(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) John Grant

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 02/08/23 (DATE)
 By [Signature]
 NOTARY PUBLIC: Debra Lynne Emerick



*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.

U^A-23-0362

JOHN MAHONEY
A R C H I T E C T

February 16, 2023

Clark County Comprehensive Planning

RE:

215 Desert Nissan (APR-23-100052)

215 Property LLC is requesting Planning approval (design review – C-2 zoning) for a new 59,000 square foot auto dealership facility located on Rafael Rivera Way west of Warbonnet way. The dealership will consist of vehicle sales and **service**, parts storage and a carwash tunnel. The site will include 145 required parking spaces and 366 inventory and display spaces, for a total of 511 parking spaces on site. There will be EV charging stations accessible for customer and **service** use on site. The project will require public utilities, power, water, sewer...etc.

The project will require a conditional use permit for the proposed uses, currently the property for this project is a portion of an existing lot that is zoned M-D (that currently has an auto dealership located on the property) and the undeveloped portion of that lot will be sold to the client that owns parcel 17604501012 that is zoned C-2. The two lots will be re-platted into one lot and the project, 215 Desert Nissan will be constructed on the "combined" property. The combined lot will be zoned as C-2.

We are requesting a Design Review for Fill as the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Sunset and Rafael Rivera to positive drainage and provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 4.46' (53.52") which is an increase over the 36" of 1.46' (18.98"). Due to what may be unforeseen conditions, we are requesting a maximum fill height of 5' (60") which is an increase over the 36" of 2' (24").

As mentioned, there is an existing auto dealership located on the adjacent property east of this proposed project (215 Desert Chrysler Dodge Ram +J). This proposed project (215 Desert Nissan) will be consistent and compatible with the character of the community.

This request for planning approval should be granted based on the proposed land use and previous approval of the similar project type on the adjacent property to the east.

If you have any questions or require any additional information, please let me know and I will address any concerns or questions regarding the request for planning approval.

Sincerely,

Garry Brinkley
John Mahoney, Architect LLC

WAREHOUSE COMPLEX
(TITLE 30)

SUNSET RD/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0383-HD SUNSET DECATUR, LLC:

ZONE CHANGE to reclassify 6.2 acres from an R-E (Rural Estates Residential) (AE-60 & AE-65) Zone to an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.

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

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) warehouse buildings; and 3) finished grade on a 6.4 acre portion of a 17.2 acre site in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 250 feet west of Decatur Boulevard within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-026; 163-36-801-028; 163-36-801-040 (ptn) through 163-36-801-041

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce portions of street landscaping (Sunset Road) where street landscaping is required per Table 30.64-2 and Figure 30.64-17.
2. a. Reduce throat depth to 55 feet where a minimum depth of 75 feet is required per Uniform Standard Drawing 222.1 (a 26.7% reduction).
b. Reduce throat depth to 37 feet where a minimum depth of 75 feet is required per Uniform Standard Drawing 222.1 (a 50.7% reduction).

DESIGN REVIEWS:

1. Alternative parking lot landscaping.
2. Warehouse buildings.
3. Increase finished grade to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5225 W. Post Road
- Site Acreage: 6.2
- Project Type: Warehouse complex
- Number of Stories: 2
- Building Height (feet): 47.5 (Buildings P2-A through P2-C)/30 (Building P2-D1 and P2-D2)
- Square Feet: 38,250 (Building P2-A)/41,075 (Building P2-B)/29,475 (Building P2-C)/5,900 (Buildings P2-D1 and P2-D2)
- Parking Required/Provided: 183/183

Site Plan

This request is for a conforming zone change to reclassify 6.2 acres from an R-E zone to an M-D zone to permit a warehouse complex consisting of 5 buildings with incidental office uses. Buildings P2-A through P2-C are located on the south half of the site while Buildings P2-D1 and P2-D2 are located on the northwest portion of the site. A pump house is located on the northeast portion of the site, 50 feet north of Building P-2A. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

| Building Setbacks from Property Lines (in feet) | | | | |
|--|----------------------|-------------|--------------|-------------|
| Building: | Property Line | | | |
| | North | East | South | West |
| P2-A | 126 | 65 | 20 | 717 |
| P2-B | 28 | 344 | 20 | 652 |
| P2-C | 115 | 655 | 20 | 620 |
| P2-D1 | 0 | 0 | 232 | 643 |
| P2-D2 | 0 | 140 | 232 | 620 |
| Pump house | 0 | 267 | 260 | 0 |

Trash enclosures and loading spaces are provided throughout the interior of the site. Cross access is provided to the previously approved warehouse complex (ZC-22-0435) immediately to the west of the project site and to the convenience store with gasoline station to the east. All buildings within the project site are connected via a network of pedestrian walkways connecting to the detached sidewalk along Sunset Road. The proposed development requires 183 parking spaces where 183 parking spaces are provided. Access to the project site is provided via 2 commercial driveways adjacent to Sunset Road. A waiver of development standards is required to reduce the throat depth to a minimum of 55 feet for the commercial driveway located on APN 163-36-801-041, immediately to the west of building P2-C. A second waiver to reduce throat depth to 37 feet is located at the southeast corner of the site, immediately to the east of Building P2-A. The waiver to reduce throat depth applies to the existing commercial driveway adjacent to Sunset Road, serving the existing convenience store and gasoline station to the west of the project site. The addition of the cross access point along the east property line of the project site, adjacent to the convenience store and gasoline station, reduces the throat depth of the existing commercial driveway necessitating the waiver of development standards. No improvements are

being made to the existing driveway. A 5 foot wide detached sidewalk is provided adjacent to Sunset Road. An increase to finished grade is also part of this request, with the largest increase occurring in the area of Building P2-C, located at the southwest corner of the site, immediately to the west of Building P2-B.

Landscaping

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, located along Sunset Road. Twenty-four inch box trees, planted 30 feet on center are located within the street landscape area, including shrubs and groundcover. A waiver is required to reduce portions of the street landscaping by 5 feet at the southeast corners of Buildings P2-A and P2-C, adjacent to Sunset Road. Medium trees will be planted to the side of, and adjacent to, the utility pads. In lieu of providing the required amount of landscape finger islands within the interior of the site, additional trees have been distributed throughout the interior of the development. The development requires a total of 50 trees within the interior of the parking lot. The site has been designed to include 5 additional trees that will be distributed throughout the interior of the site.

Elevations

The plans depict the following building heights, as measured to the top of the parapet wall: 1) Buildings P2-A through P2-C - 47.5 feet; and 2) Building P2-D1 and P2-D2 - 30 feet. Buildings P2-A through P2-C consist of a stucco exterior with accent standing seam metal wall cladding, and an aluminum storefront window system. Buildings P2-D1 and P2-D2 consist of a stucco exterior with standing seam metal wall cladding, and an aluminum storefront window system with overhead metal canopies. The buildings will be painted with neutral, earth tone colors consisting of brown and gray. The pump house measures 30 feet in height and features an exterior consisting of standing seam metal cladding on the north and south elevations and stucco on the east and west elevations. The overhead roll-up doors associated with each building are oriented towards the interior of the site away from the public right-of-way.

Floor Plans

The plans for each building consist of shell space that will be reconfigured based upon the needs of the individual tenants. Below is a table reflecting the area of Buildings P2-A through P2-D2:

| Building Area | Square Feet |
|---|--------------------|
| Building P2-A - warehouse with incidental office | 38,250 |
| Building P2-B - warehouse with incidental office | 41,075 |
| Building P2-C - warehouse with incidental office | 29,475 |
| Building P2-D1 - warehouse with incidental office | 5,900 |
| Building P2-D2 - warehouse with incidental office | 5,900 |
| Total Building Area | 120,600 |

*The pump house measures 375 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the subject property is currently zoned (R-E) - and requires a zone change to (M-D) - for the proposed uses. M-D is a conforming use under the Business Employment (BE) Master Planned land use in the Spring Valley Plan Area. The M-D use is compatible with the surrounding neighborhood. This land use is evident at several nearby developed parcels along Sunset Road. The buildings will comprise of space for future manufacturing, industrial, warehouse, processing, and wholesale uses, including accessory/incidental office, sales, and services. The tenants are not yet contracted or known to the owner. All tenant spaces will be completed under separate permits. A design review for alternative parking lot landscaping is requested as several terminating landscape finger islands do not meet Title 30 criteria. Multiple landscape areas to off-set this requirement include planting additional trees beyond the required amount. The applicant is providing 50 trees within the interior of the parking lot where 45 trees are required. A utility pad was integrated into the street frontage and is located to the southeast of Buildings P2-A and P2-C, along Sunset Road, requiring a waiver of development standards. This reduced throat depth length, located on the westernmost driveway along Sunset Road is based on matching the parking layout to the west as part of Phase 1. The applicant received approval for the waiver of standards for the reduced length on the west side as part of the Phase 1 entitlements (ZC-22-0435); therefore, the applicant would like to match the approved configuration for the west side as part of Phase 2. The throat depth for the west side of the easternmost driveway on Sunset Road is reduced due to the adjacent property's site entry and the required interconnection access. The reduced east side throat depth was approved during the entitlements for the convenience store and gasoline station.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| ZC-1469-00 | Reclassified the northern portion of the site to M-D zoning currently developed as a transportation facility | Approved by BCC | November 2000 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|---|
| North | Business Employment | M-D & M-1 | Transportation facility, vehicle maintenance facility & parking lot - taxi cabs, & freight terminal |
| South | Business Employment | M-D | Regional Transportation Commission maintenance facility & overflow parking lot, convenience store with gasoline station & vehicle wash, & office warehouse building |
| East | Business Employment | C-2 | Convenience store with gasoline station |
| West | Business Employment | M-D | Undeveloped |

Related Applications

| Application Number | Request |
|--------------------|--|
| TM-23-500083 | A tentative map for a 1 lot commercial subdivision is a companion item on this agenda. |
| VS-23-0384 | A request to vacate a portion of right-of-way being Sunset Road, right-of-way being Hauck Street, and patent easements is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

This is a request for a conforming zone change and staff finds the application is compatible with, and appropriate for, both the project site and the surrounding area. The parcels immediately to the north are zoned M-D and M-1 with a planned land use of Business Employment. The parcels to the west and south are also zoned M-D with a planned land use of Business Employment. The Business Employment category provides for concentrated areas of employment and ancillary commercial uses, such as office, distribution centers, warehouse/flex space, technology, and light industrial uses. Furthermore, the requested zone change complies with the Master Plan by protecting the viability of industrial and employment areas within Spring Valley. Staff finds the request should have minimal to no impact on the surrounding area and land uses; therefore, recommends approval of the zone change.

Waivers of Development Standards

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

Waiver of Development Standards #1 & Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands comply with the Master Plan by encouraging screened parking areas and extensive landscaping. The proposed development requires a total of 50 trees within the interior of the parking lot. The site has been designed to include an additional 5 trees (50 total trees) that will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area. Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable. The additional trees will provide shade and improve the overall aesthetics of the development.

The reduction to street landscaping, located immediately to the southeast of Buildings P2-A and P2-C, measures 167 square feet and 243 square feet in area, respectively. The reduced street landscape area, located at the southeast portion of the site, measures 544 square feet in area. Twenty-nine trees are provided along Sunset Road where 29 trees are required. Furthermore, 5 additional trees have been provided within the interior of the parking lot. Staff typically does not support reductions to the street landscape area; however, staff finds the proposed reduction should not have a negative or detrimental impact on the surrounding area. Therefore, staff can support these requests.

Design Review #2

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties. Varying rooflines and contrasting colors have been utilized to break-up the mass on portions of the buildings. The proposed buildings are complementary to the warehouse buildings previously approved immediately to the west of the project site via ZC-22-0435. Furthermore, cross access is provided between the proposed warehouse development and the previously approved warehouse development to the west. Therefore, staff recommends approval.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduction in throat depth for the Sunset Road driveways. The project has 4 driveways that should see equal use, further mitigating potential impacts from the reduced throat depths.

Design Review #3

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

Department of Aviation

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

A portion of the property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Record parcel maps for APNs 163-36-801-025, 163-36-801-026, and 163-36-801-040 prior to the issuance of building permits;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews applications must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- Coordinate with the Regional Transportation Commission (RTC).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the dedication to back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County

Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0228-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: HABITAT DEVELOPMENT

CONTACT: HD SUNSET DECATUR, LLC, 3451 W. MARTIN AVENUE, SUITE C, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

11

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)

No USE PERMIT REQUIRED
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
- APPLICATION REVIEW (AR)

STAFF

APP. NUMBER: ZC-23-0383 DATE FILED: 6/20/23
 PLANNER ASSIGNED: MNO
 TAB/CAC: SPRING VALLEY TAB/CAC DATE: 7/25/23
 PC MEETING DATE: _____ @ 6:00 PM
 BCC MEETING DATE: 8/16/23 @ 9:00 A.M.
 FEE: \$2,200

PROPERTY OWNER

NAME: DEWBES, LLC
 ADDRESS: 5225 W. Post Road
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-873-0812 CELL: 702-933-1642
 E-MAIL: kgibson@taxmanagementvegas

APPLICANT

NAME: HABITAT DEVELOPMENT, LLC
 ADDRESS: 3451 W. Martin Ave, Suite C
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-521-1608
 E-MAIL: twest@fortedesignbuild.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Andrew Simmons
 ADDRESS: 3451 W. Martin Ave, Suite C
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-797-0725
 E-MAIL: asimmons@fortedesignbuild.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-801-040

PROPERTY ADDRESS and/or CROSS STREETS: 5225 W. POST ROAD

PROJECT DESCRIPTION: We are requesting a zone change M-D in order to construct Phase 2 of a light industrial park.

(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)* *Andrew Simmons*

Dewbes, LLC
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5/28/2023 (DATE)

By Keith B. Gibbons
 NOTARY PUBLIC: Sheila Robertson



*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.

JUSTIFICATION LETTER

HABITAT Creative Industrial Park – PHASE 2_REV-02
June 16, 2023



To: Comprehensive Planning Dep.
500 S Grand Central Pkwy
Las Vegas NV, 89155

From: HABITAT DEVELOPMENT LLC
3451 W. Martin Ave, Suite C
Las Vegas NV, 89118



Project Description

HABITAT Creative Industrial Park is a new industrial business park located in the Spring Valley Submarket of the greater Las Vegas area. This Development will total $\pm 120,600$ total square feet as part of Phase 2, with individual units ranging from $\pm 4,550$ square feet to $\pm 35,200$ square feet. The majority of the buildings will be constructed of prefabricated panelized metal structures with storefront glazing and standing seam cladding, while the single larger building will be steel framed with varying fluted rib architectural details. Roofing will consist of a single-ply membrane system over rigid insulation or standing seam. The building will be accented with perforated metal screens feature above the entrances. In addition to the cutting edge and modern design, each unit will have the following amenities:

- Campus style layout to incorporate circulation paths and landscape pockets with mature planting
- Each Unit will consist of finished office space to include 25% of the total square feet as mezzanine space
- $\pm 22'$ to $38'$ minimum clear height
- One (1) grade level loading door ($14' \times 16'$) at each Unit
- 3 phase power 120/208 volt 400 amps (for a limited time TESLA Solar Battery systems and panels can be included into the building)
- Fully fire sprinklered
- Parking ratio 1.5/1,000
- $\pm 2\%$ skylights in the warehouse area
- Individual building signage and address monument (permitted separately)
- Convenient access to I-215, I-15 and the resort corridor

We have positioned the various building within the campus style planning, so the loading and service areas are obscured from the public realm. This has been achieved through landscape and plating as well as by organizing the structures (buildings and track enclosures) to further obscure the views.

Land Use Waiver Request

Since the recovery, the greater Las Vegas Valley has seen significant growth in nearly all economic indicators. Unfortunately, due to the business cycle of some sectors there is a delay between supply and demand. The demand for usable industrial space has experienced a sharp uptick that has not been seen since before the recession, as reported by various market reports and indicators.

JUSTIFICATION LETTER

HABITAT Creative Industrial Park – PHASE 2_REV-02

June 16, 2023



We are requesting a Conforming Zone Boundary Amendment. The subject property is currently zoned Rural Estates (R-E) and requires a zone change to Designed Manufacturing (M-D) for the proposed uses. M-D is a conforming use under the Business Employment (BE) Master Planned land use in the Spring Valley Plan Area. The M-D use is compatible with the surrounding neighborhood. This land use is evident at several nearby developed parcels along W. Sunset Road.

The buildings will comprise of space for future manufacturing, industrial, warehouse, processing, and wholesale uses, including *accessory/incidental* office, sales, and services. It is understood that Light Manufacturing will only occur inside the proposed buildings as described in the M-D Zoning District Table 30.44 (Global Use Table). The tenants are not yet contracted or known to the Owner. All tenant spaces will be completed under separate permits.

We intend to vacate certain portions of the existing public right-of-way as described within the exhibits and legal descriptions provided by Lochsa Engineering included in this application.

Waiver of Standards and Design Review Requests

We are requesting a Waiver of Development Standards in terms of reduced portions of street landscape per Table 30.64-2 and Figure 30.64-17. We have integrated Utility pad in the frontage for access and coordination purposes, this Waiver was accepted in the Phase 1 Entitlements.

We are requesting a Design Review for Fill as the site will require more than 36" of fill as described in the attached Justification Letter and cross section provided by Lochsa Engineering.

We are also requesting a Design Review for alternative parking lot landscaping regarding several terminating landscape finger islands that do not meet the criteria. We have added multiple landscape areas to off-set this requirement to include planting additional trees beyond the required amount. Please see the Revised Landscape Drawings for the Required and Provided plant calculations. We are providing 50 trees within the interior of the parking lot where 45 trees are required.

As part of the Development Agreement with the adjacent Landowner (Dewbes, LLC) our project will include off-site parking that will be located within their parcel 163-36-801-040. We are requesting a Design Review for this off-site parking. The calculations have been revised to identify the on-site and off-site parking.

Finally, we are requested a waiver of standards related to the 75 feet Throat Depth as follows:

East side of Westernmost driveway on Sunset Road Throat Depth Justification:

The proposed east side of the westernmost driveway on Sunset Road currently is proposing 55 feet of throat depth when 75 feet is required. This reduced length is based on matching the parking layout to the west as part of Phase 1. We received approval for the waver of standards for the reduced length on the west side as part of the Phase 1 Entitlements (ZC-22-0435); therefore, it is our justification for matching the approved configuration for the west side as part of Phase 2.

JUSTIFICATION LETTER

HABITAT Creative Industrial Park – PHASE 2_REV-02
June 16, 2023



West side of Easternmost driveway on Sunset Road Throat Depth Justification:

The proposed west side of the easternmost driveway on Sunset Road currently is proposing 37 feet of throat depth when 75 feet is required. The throat depth is reduced due to the adjacent properties site entry and the required interconnection access. The reduced east side throat depth was approved during that property's entitlements (Parcel 163-36-801-029)

We currently have 315 provided parking spaces for the total of Phase 1 & 2 where 295 parking spaces are required. For Phase 2, we have 183 provided parking spaces matching the required amount, we feel the planning is justified to meet the criteria and waiver of through depth length.

We believe this new and innovative development type will enhance the neighborhood, and the community at large. Your consideration of design review approval is most appreciated.

Kind regards,

A handwritten signature in blue ink, appearing to read "S. Andrew Simmons". The signature is stylized and includes a horizontal line extending to the right.

S. Andrew Simmons, AIA. NCARB

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EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

SUNSET RD/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0384-HD SUNSET DECATUR, LLC:

VACATE AND ABANDON easements of interest to Clark County, located between Sunset Road and Teco Avenue (alignment), and between Decatur Boulevard and Lindell Road; a portion of a right-of-way being Hauck Street located between Sunset Road and Teco Avenue (alignment); and a portion of right-of-way being Sunset Road located between Decatur Boulevard and Lindell Road within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-028; 163-36-801-039 through 163-36-801-041

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide government patent easements located along the north, east, and west perimeter of APN 163-36-801-028. The applicant states the patent easements are not needed for right-of-way dedication purposes. The plans also depict the vacation and abandonment of a 5 foot wide portion of right-of-way being Sunset Road that is necessary to accommodate the required detached sidewalk. Furthermore, the plans depict the vacation and abandonment of Hauck Street, a 30 foot to 82 foot wide public right-of-way that terminates in a cul-de-sac bulb immediately south of APN 163-36-801-039. The applicant states the existing right-of-way, being Hauck Street, is no longer necessary as the parcels adjacent to the street have access to Sunset Road.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| ZC-1469-00 | Reclassified the northern portion of the site to M-D zoning currently developed as a transportation facility | Approved by BCC | November 2000 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|------------------------|---|
| North | Business Employment | M-D & M-1 | Transportation facility, vehicle maintenance facility & parking lot - taxi cabs, & freight terminal |
| South | Business Employment | M-D | Regional Transportation Commission maintenance facility & overflow parking lot, convenience store with gasoline station & vehicle wash, & office warehouse building |
| East | Business Employment | C-2 | Convenience store with gasoline station |
| West | Business Employment | M-D | Undeveloped |

Related Applications

| Application Number | Request |
|---------------------------|--|
| ZC-23-0383 | A zone change to reclassify to M-D zoning for a warehouse complex with a waiver of development standards to reduce street landscaping and throat depth with design reviews for alternative parking lot landscaping, warehouse complex, off-site parking, and increase finished grade is a companion item on this agenda. |
| TM-23-500083 | A tentative map for a 1 lot commercial subdivision is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis**Public Works - Development Review**

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:**Comprehensive Planning**

- Satisfy utility companies' requirements.

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

Public Works - Development Review

- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the dedication to back of curb or the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-23-0384; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/ROW are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

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

**APPLICANT: HABITAT DEVELOPMENT
CONTACT: HD SUNSET DECATUR, LLC, 3451 W. MARTIN AVENUE, SUITE C, LAS
VEGAS, NV 89118**



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
- EASEMENT(S)
- RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: VS-23-0384 DATE FILED: 6/26/23
 PLANNER ASSIGNED: MNO
 TAB/CAC: SPRING VALLEY TAB/CAC DATE: 7/25/23
 PG MEETING DATE: - @ 6:00 A.M.
 BCC MEETING DATE: 8/16/23 @ 7:00 A.M.
 FEE: \$875.00

PROPERTY OWNER

NAME: DEWBES LLC
 ADDRESS: 5225 POST ROAD
 CITY: LAS VEGAS STATE: NV ZIP: 89118
 TELEPHONE: _____ CELL: _____
 E-MAIL: _____

APPLICANT

NAME: ANDREW SIMMONS
 ADDRESS: 3451 W. MARTIN AVE. STE. C
 CITY: LAS VEGAS STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-797-0725
 E-MAIL: ASIMMONS@FORTEDESIGNBUILD.COM REF CONTACT ID #: _____

CORRESPONDENT

NAME: BRIAN ALLEN
 ADDRESS: 6345 S. JONES BLVD. STE. 100
 CITY: LAS VEGAS STATE: NV ZIP: 89118
 TELEPHONE: 702-365-9312 CELL: _____
 E-MAIL: BRIAN@LOCHSA.COM REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-801-040

PROPERTY ADDRESS and/or CROSS STREETS: 5225 W. POST ROAD

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

Property Owner (Signature)*

STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 2/28/2023 (DATE)

By Keith B. Gibson

NOTARY PUBLIC: Sheila L. Robertson

Property Owner (Print)



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

February 6, 2023

Clark County
Public Works
500 S. Grand Central Pkwy.
Las Vegas, NV 89155

VS-23-0384

RE: Proposed Right-of-Way vacation for Habitat Creative Industrial Park Phase 2

To Whom It May Concern:

Lochsa Engineering is submitting a proposed vacation of Right-of-Way along Sunset Road And Hauck Street for parcels 163-36-801-041, 163-36-801-028, and 163-36-801-040 and a patent easement on parcel 163-36-801-028. The justification for each of these vacations is as follows:

163-36-801-040 and 041: Along both of these parcels Sunset Road has been previously dedicated at 60' for anticipation of an attached sidewalk. With current standards requiring detached sidewalk with the ROW being dedicated to back of curb, it is necessary to vacate a 5' strip along the north side of Sunset Road to result in a 55' Right-of-Way dedication along the north side of Sunset. For Hauck Street, the dedicated Right-of-Way serves no real purpose as all of the parcels that adjoin the Hauck Street Right-of-Way have frontage on Sunset Road as well. There are currently public utilities within the Hauck Street Right-of-Way that will require easements being granted to the applicable utility agencies in order to maintain those existing public utilities within that land.

163-36-801-028: There is an existing 33' patent easement around the entire parcel that is to be vacated. The south 55' of this parcel will be dedicated as public Right-of-Way for Sunset Road and the rest of the parcel does not have any public streets proposed.

Please feel free to contact me with any questions at (702) 365-9312. Thank you.

Sincerely,

Brian Allen P.E.
Senior Project Manager

PLANNER
COPY

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08/16/23 BCC AGENDA SHEET

HABITAT CREATIVE INDUSTRIAL PARK
(TITLE 30)

SUNSET RD/DECATUR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500083-DEWBES, LLC:

TENTATIVE MAP consisting of 1 commercial lot and common lots on 9.8 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 250 feet west of Decatur Boulevard within Spring Valley. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-025; 163-36-801-026; 163-36-801-028; 163-36-801-040 (ptn) through 163-36-801-041

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5225 W. Post Road
- Site Acreage: 9.8
- Number of Lots: 1
- Project Type: Warehouse complex

The plans depict a 1 lot commercial subdivision consisting of 9.8 acres. Access to the project site will be granted via 3 commercial driveways adjacent to Sunset Road. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is provided along Sunset Road. Twenty-four inch box trees, planted 30 feet on center are located within the street landscape area, including shrubs and groundcover.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|----------------|
| ZC-22-0435 | Reclassified 4.6 acres of the project site to M-D zoning for a warehouse complex, waiver to reduce street landscaping and throat depth, and design reviews for alternative parking lot landscaping, warehouse complex, and increased finished grade | Approved by BCC | September 2022 |
| VS-22-0436 | Vacated and abandoned government patent easements and a portion of right-of-way being Sunset Road | Approved by BCC | September 2022 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|---------------|
| VS-1525-02 | Vacated and abandoned government patent easements - recorded | Approved by PC | December 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|---|
| North | Business Employment | M-D & M-1 | Transportation facility, vehicle maintenance facility & parking lot - taxi cabs, & freight terminal |
| South | Business Employment | M-D | Regional Transportation Commission maintenance facility & overflow parking lot, convenience store with gasoline station & vehicle wash, & office warehouse building |
| East | Business Employment | C-2 | Convenience store with gasoline station |
| West | Neighborhood Commercial | R-E | Drainage channel |

Related Applications

| Application Number | Request |
|--------------------|---|
| ZC-23-0383 | A zone change to reclassify to M-D zoning for a warehouse complex with a waiver to reduce street landscaping and throat depth with design reviews for alternative parking lot landscaping, warehouse complex, off-site parking, and increase finished grade is a companion item on this agenda. |
| VS-23-0384 | A request to vacate a portion of right-of-way being Sunset Road, right-of-way being Hauck Street, and patent easements is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- Coordinate with the Regional Transportation Commission (RTC).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the dedication to back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0228-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HABITAT DEVELOPMENT

CONTACT: HD SUNSET DECATUR, LLC, 3451 W. MARTIN AVENUE, SUITE C, LAS VEGAS, NV 89118

