



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

August 8, 2023

6:00pm

AGENDA

Note:

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

Board/Council Members: John Getter, Chair
 Dale Devitt
 Randal Okamura

Brian A. Morris, Vice Chair
 Dr. Juana Leia Jordan

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

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

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

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

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

- III. Approval of Minutes for July 25, 2023. (For possible action)
- IV. Approval of the Agenda for August 8, 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. **PA-23-700020-RRP, LLC; ET AL:**
PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 7.2 acres. Generally located on the southwest corner of Edna Avenue and Red Rock Street within Spring Valley. JJ/gc (For possible action) **08/15/23 PC**
 - 2. **ZC-23-0397-RRP, LLC:**
ZONE CHANGE to reclassify 7.3 acres from a CRT (Commercial Residential Transition) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for senior housing.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall and fence height; 2) reduce the height/setback ratio requirement adjacent to a single family residential use; 3) alternative landscaping adjacent to a residential use; 4) alternative street landscaping; 5) allow access to a local street; and 6) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) senior housing (multiple family development); and 3) finished grade. Generally located on the south side of Edna Avenue and the west side of Red Rock Street within Spring Valley (description on file). JJ/md/syp (For possible action) **08/15/23 PC**
 - 3. **VS-23-0398-RRP, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Red Rock Street located between Coley Avenue and Palmyra Avenue within Spring Valley (description on file). JJ/md/syp (For possible action) **08/15/23 PC**
 - 4. **UC-23-0290-FORT APACHE DOMINUS, LLC:**
USE PERMIT for a daycare facility within an existing apartment development on a portion of 15.6 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the north side of Tropicana Avenue and the east side of Tee Pee Lane within Spring Valley. JJ/bb/syp (For possible action) **08/15/23 PC**

5. **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**

6. **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**

7. **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**

8. **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 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Rafael Rivera Way, 350 feet west of Warbonnet Way within Spring Valley. MN/sd/syp (For possible action) **08/16/23 BCC**

9. **ZC-23-0402-JONES SUNSET, LLC:**
ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (AE-60) Zone to a C-1 (Local Business) Zone (AE-60) Zone.
USE PERMIT for off-highway vehicle, recreational vehicle, and watercraft storage.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building façade length; 2) roofline variations; 3) increased wall height; and 4) landscaping.
DESIGN REVIEW for an off-highway vehicle, recreational vehicle, and watercraft storage facility in conjunction with an approved mini-warehouse facility in the CMA Design Overlay District. Generally located on the south side of Teco Avenue, 600 feet east of Jones Boulevard within Spring Valley (description on file). MN/al/syp (For possible action) **08/16/23 BCC**

10. **DR-23-0388-COUNTY OF CLARK (PK & COMM SERV):**
DESIGN REVIEW for reconstruction of a concession/restroom building in conjunction with an existing park on 3.7 acres in a P-F (Public Facility) Zone. Generally located on the east side of Mohawk Street and the south side of Eldora Avenue within Spring Valley (description on file). RM/rk/syp (For possible action) **09/05/23 PC**

11. **UC-23-0018-LAS VEGAS SPORTS CORPORATION ETAL & ROLLINGSTONE INC:**
USE PERMIT private recreational facility (table tennis club).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; and 2) reduce commercial driveway approach distance.
DESIGN REVIEW for a proposed private recreational facility within the Desert Inn Road Transition Corridor. Generally located on the south side of Desert Inn Road and the west side of Westwind Road within Spring Valley (description on file). JJ/lm/syp (For possible action) **09/05/23 PC**

12. **VS-23-0019-LAS VEGAS SPORTS CORPORATION ETAL & ROLLINGSTONE INC:**
VACATE AND ABANDON easements of interest to Clark County located between Desert Inn Road and Pioneer Avenue, and between Westwind Road and Duneville Street within Spring Valley (description on file). JJ/lm/syp (For possible action) **09/05/23 PC**

13. **UC-23-0230-WPI-GRAND TROP LLC & UAP-GRAND TROP LLC:**
USE PERMITS for the following: 1) reduce separation from a gas station to residential use; 2) reduce separation from a convenience store to residential use; and 3) reduce separation from outside dining to a residential use.
WAIVERS OF DEVELOPMENT STANDARDS to allow modified driveway standards.
DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station; 3) finished grade; 4) lighting plan on 1.7 acres in a C-2 (General Commercial) Zone. Generally located on the southeast corner of Tropicana Avenue and Grand Canyon Drive within Spring Valley. JJ/bb/syp (For possible action) **09/05/23 PC**

14. **UC-23-0403-WEST COAST CLOSERS INC:**
USE PERMIT to allow a major training facility (driving school) in conjunction with an existing office building on a portion of 2.9 acres in a C-P (Office and Professional) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Edna Avenue within Spring Valley. JJ/lm/syp (For possible action) **09/05/23 PC**

15. **UC-23-0425-MH REVOCABLE LIVING TRUST:**
USE PERMIT for sporting goods (firearms) sales within an existing commercial center on 0.7 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard, 240 feet south of Sahara Avenue within Spring Valley. JJ/tpd/syp (For possible action) **09/05/23 PC**

16. **WS-23-0437-B-R OVATION LIMITED PARTNERSHIP:**
WAIVER OF DEVELOPMENT STANDARDS to increase wall height in conjunction with an approved multiple family development on 7.0 acres in an R-5 (Apartment Residential) Zone. Generally located on the east side of Grand Canyon Drive and the south side of Tropicana Avenue within Spring Valley. JJ/sd/syp (For possible action) **09/05/23 PC**

17. **VS-23-0387-WH PROPERTIES LLC:**
VACATE AND ABANDON a portion of a right-of-way being Rosanna Street located between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/hw/syp (For possible action) **09/06/23 BCC**

18. **UC-23-0386-WH PROPERTIES, LLC:**
USE PERMIT to allow kitchens within hotel guestrooms.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; 2) roof style; and 3) local street access.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) increased finished grade; 3) signage; and 4) a hotel in conjunction with an existing office/retail complex on a portion of 8.9 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Rosanna Street, approximately 215 feet south of Oquendo Road within Spring Valley. MN/hw/syp (For possible action) **09/06/23 BCC**
19. **WS-23-0439-PREMIER PROPERTY PRESERVATION, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to eliminate street landscaping.
DESIGN REVIEW to increase finished grade in conjunction with a single family residential development on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay. Generally located on the northwest corner of Ponderosa Way and Duneville Street within Spring Valley. MN/jud/syp (For possible action) **09/06/23 BCC**
20. **ZC-23-0409-P S I OQUENDO LLC:**
ZONE CHANGE to reclassify 4.2 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-3 (Multi-Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce driveway throat depth for a call box; and 3) reduce driveway distance from an intersection.
DESIGN REVIEWS for the following: 1) for a multi-family residential development; and 2) finished grade. Generally located on the west side of Fort Apache Road and the north side of Oquendo Road within Spring Valley (description on file). JJ/rk/syp (For possible action) **09/06/23 BCC**
21. **VS-23-0410-P S I OQUENDO, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Farmland Street, and between Oquendo Road and Russell Road and portion of a right-of-way being Fort Apache Road located between Oquendo Road and Russell Road; and portion of a right-of-way being Oquendo Road located between Fort Apache Road and Farmland Street within Spring Valley (description on file). JJ/rk/syp (For possible action) **09/06/23 BCC**
22. **ZC-23-0431-S D M I RAINBOW, LLC:**
ZONE CHANGE to reclassify 2.8 acres from an R-E (Rural Estates Residential) to a C-P (Office & Professional) Zone.
USE PERMITS for the following: 1) retail as primary use; and 2) restaurant as primary use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit access to a local street (Palmyra Avenue); 2) landscaping; 3) modified driveway design standards; and 4) increased wall height.
DESIGN REVIEW of a commercial center. Generally located on the northwest corner of Rainbow Boulevard and Palmyra Avenue within Spring Valley (description on file). JJ/bb/syp (For possible action)

23. **VS-23-0432-S D M I RAINBOW, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street, and between Coley Avenue and Palmyra Avenue within Spring Valley (description on file). JJ/bb/syp (For possible action) **09/06/23 BCC**
24. **TM-23-500090-S D M I RAINBOW, LLC:**
TENTATIVE MAP consisting of a 1 lot commercial subdivision on 2.8 acres in C-P Zone. Generally located on the northwest side of Rainbow Boulevard and Palmyra Avenue within Spring Valley. JJ/bb/syp (For possible action) **09/06/23 BCC**
25. **ZC-23-0435-IHC HEALTH SERVICES, INC.:**
ZONE CHANGE to reclassify 9.3 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office & Professional) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) allow zero percent of the total property frontage be occupied by buildings; and 3) reduce driveway throat depth.
DESIGN REVIEW for an office building in the CMA Design Overlay District. Generally located on the northeast corner of Badura Avenue and Gagnier Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action) **09/06/23 BCC**
26. **VS-23-0436-IHC HEALTH SERVICES, INC.:**
VACATE AND ABANDON easements of interest to Clark County located between Maule Avenue and Badura Avenue, and between Agilysys Way and Gagnier Boulevard; a portion of right-of-way being Gagnier Boulevard located between Maule Avenue and Badura Avenue; and a portion of right of way being Badura Avenue located between Agilysys Way and Gagnier Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action) **09/06/23 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 29, 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>

08/15/23 PC AGENDA SHEET

PLAN AMENDMENT
(TITLE 30)

EDNA AVE/RED ROCK ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
PA-23-700020-RRP, LLC; ET AL:

PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 7.2 acres.

Generally located on the southwest corner of Edna Avenue and Red Rock Street within Spring Valley. JJ/gc (For possible action)

RELATED INFORMATION:

APN:
163-12-301-005; 163-12-304-010

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description
General Summary

- Site Address: N/A
- Site Acreage: 7.2

Applicant's Justification

The applicant states that Urban Neighborhood (UN) will allow for a transition from the more intense commercial uses along Jones Boulevard to the less intense single family residential uses to the east. Additionally, neighborhood businesses will benefit from the increase and support of new residents in the area. The UN land use designation will allow for the opportunity for affordable housing, which is a stated goal of the Clark County Master Plan.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1058-01 (ET-0349-04)	First extension of time to reclassify the site from R-E to CRT zoning subject to removing the time limit	Approved by BCC	December 2004
ZC-1058-01	Reclassified the site from R-E to CRT zoning	Approved by BCC	November 2001

VS-1230-98	Vacate and abandon a portion of right-of-way being Coley Avenue located between Jones Boulevard and Red Rock Street	Approved by BCC	November 1998
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Surrounding Land Use

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

Related Applications

Application Number	Request
ZC-23-0397	Zone change to reclassify the site to R-4 zoning, use permit for senior housing, waivers of development standards for alternative landscaping, increased wall height, and allow access to a local street, and design reviews for alternative parking lot landscaping, finished grade, and a multiple family residential development is a companion item on this agenda.
VS-23-0398	Vacate and abandon a portion of right-of-way being Red Rock Street is a companion item on this agenda.

STANDARDS FOR ADOPTION:

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

Analysis

Comprehensive Planning

The applicant requests a change from Neighborhood Commercial (NC) to Urban Neighborhood (UN) (greater than 18 du/ac). Intended primary land uses in the proposed Urban Neighborhood land use designation include single family attached and detached homes, duplexes, triplexes, fourplexes, townhomes, and multiple family. Supporting land uses include accessory dwelling units, multiple family dwellings, and neighborhood serving public facilities.

Staff finds the request to redesignate the site to Urban Neighborhood (UN) to be too intense for, and not compatible with, the surrounding area. The site is immediately adjacent to R-E (RNP-I) zoned properties planned for Ranch Estate Neighborhood (up to 2 du/ac) uses to the north, east, and south. The UN designation is not an appropriate transition from the C-P zoned and Neighborhood Commercial planned uses along Jones Boulevard to the R-E (RNP-I) zoned properties to the east. The request does not comply with Policy 1.5.2 of the Master Plan which promotes adopting and implementing standards to protect the established character and lifestyles associated with RNP areas and minimize future conflicts with higher intensity development planned on sites that are adjacent to RNP areas. Suggested strategies in the Master Plan include providing transitioning densities with larger lots adjacent to RNP areas or clustering higher intensity housing units away from the shared edge of the RNP. A land use designation of UN would not be conducive for implementing these strategies. Therefore, staff cannot support the proposed request.

Staff Recommendation

Denial. If approved, adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 20, 2023 at 9:00 a.m., unless otherwise announced.

If this request is adopted, 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.

TAB/CAC:

APPROVALS:

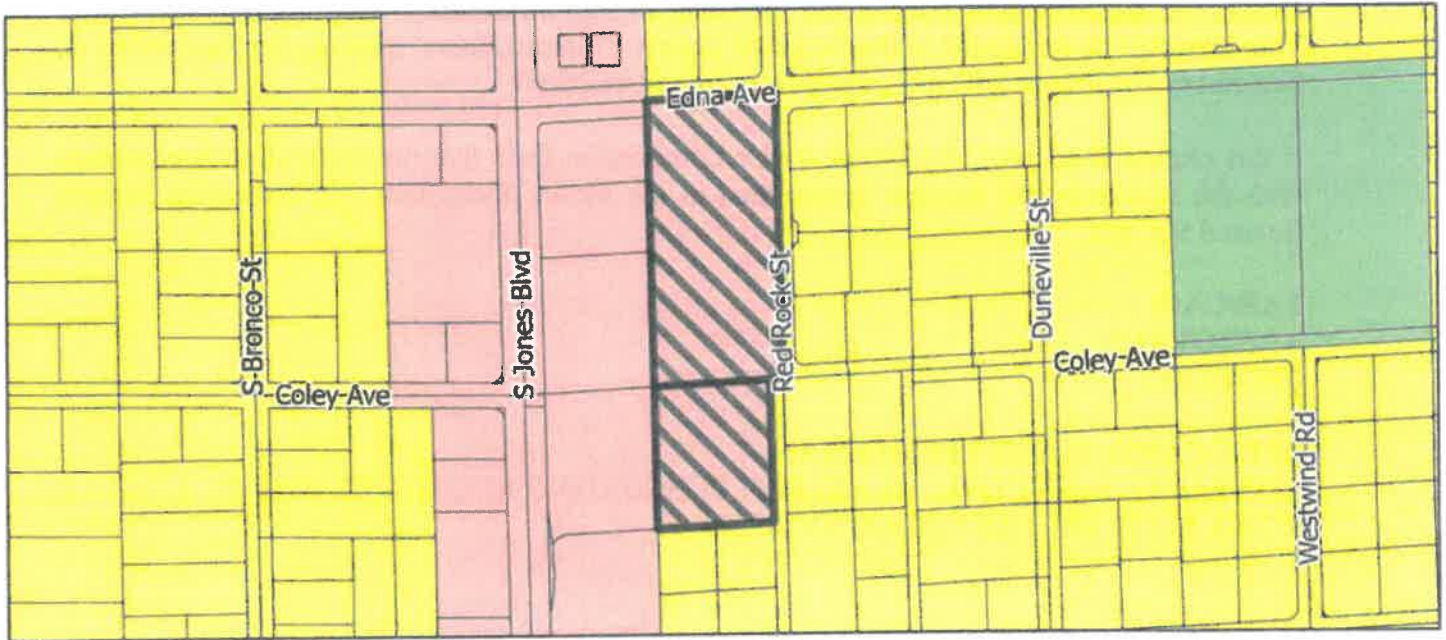
PROTEST:

APPLICANT: ROBERT FEIBLEMAN

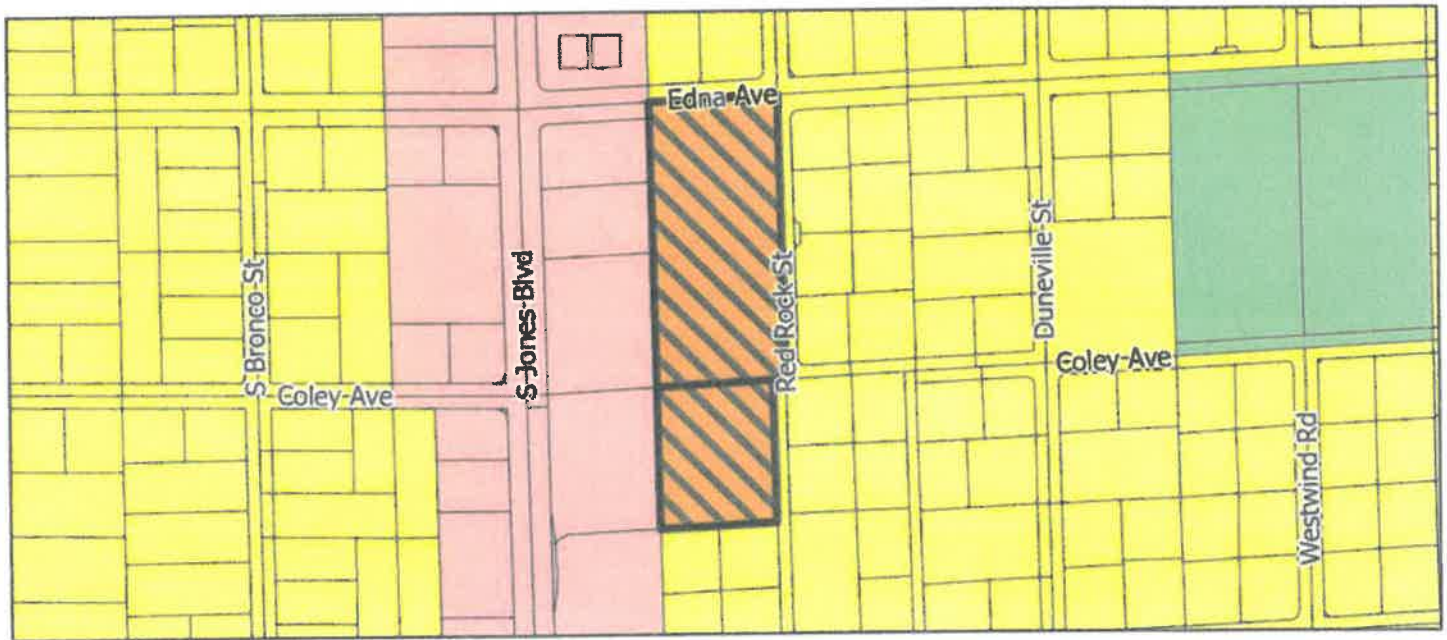
CONTACT: JANET DYE, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT

Planned Land Use Amendment PA-23-700020



Current



Requested

Neighborhoods

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

Employment

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

Commercial and Mixed Use

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

Other

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

DRAFT
Spring Valley
Clark County, Nevada

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



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: PA-23-700020

Property Owner or Subdivision Name: RRP LLC, et al..

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** _____ **PC** 9/5/23 **BCC** 10/4/23

Add this application to the: **TAB/CAC** _____ **PC** 8/15/23 **BCC** 9/20/23

Change(s) to be made:

Held no date specific

Withdrawn

No change to meeting(s) 8/8/23 Spring Valley TAB

Amend Write-up

Renotify

Make a public hearing (Radius: _____)

Rescheduling

Other: Advance public hearing dates.

Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____

Refund

80%

100% (please include justification for full refund below)

AMOUNT OF REFUND\$: _____

Reason for Change: Advance public hearing meeting dates for PC and BCC per Planning Management - out of cycle. (Companion to ZC-23-0397 and VS-23-0398).

Change initiated by: grc **Date:** 6/29/23

Change authorized by: MG **Date:** 6/29/23

Change processed by: ds **Date:** 6/29/23

Follow up assigned to: _____ **Instructions:** _____

Parcel Number(s): 163-12-301-005 and 163-12-304-010

Town Board(s): Spring Valley

2

08/15/23 PC AGENDA SHEET

SENIOR HOUSING
(TITLE 30)

EDNA AVE/RED ROCK ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0397-RRP, LLC:

ZONE CHANGE to reclassify 7.3 acres from a CRT (Commercial Residential Transition) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMIT for senior housing.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall and fence height; 2) reduce the height/setback ratio requirement adjacent to a single family residential use; 3) alternative landscaping adjacent to a residential use; 4) alternative street landscaping; 5) allow access to a local street; and 6) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) senior housing (multiple family development); and 3) finished grade.

Generally located on the south side of Edna Avenue and the west side of Red Rock Street within Spring Valley (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-12-301-005; 163-12-304-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall and fence height to 8 feet where 6 feet is the maximum permitted per Section 30.64.020 (a 33% increase).
2. Reduce the height/setback ratio requirement adjacent to a single family residential use to 67 feet where 72 feet is required per Section 30.56.070 and Figure 30.56-10 (a 7% reduction).
3. Allow alternative landscaping, including a decorative fence, adjacent to a residential use where landscaping and screening, including a decorative block wall, is required per Figure 30.64-11.
4.
 - a. Allow alternative street landscaping along Red Rock Street, including an attached sidewalk, where landscaping and a detached sidewalk are required per Figure 30.64-17.
 - b. Allow alternative street landscaping along Edna Avenue where landscaping is required per Figure 30.64-17.
 - c. Permit an 8-foot high decorative fence within the street landscape areas (Red Rock Street and Edna Avenue) where fences and walls shall be a maximum of 6 feet high and shall be set back for landscaping along streets as required per Section 30.64.020 and Table 30.64-2.

5. Allow access to a local street (Red Rock Street) where access to a local street is not permitted per Table 30.56-2.
6.
 - a. Reduce throat depth to 15 feet for a driveway along Red Rock Street where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (an 85% reduction).
 - b. Reduce throat depth to 21 feet for a driveway along Edna Avenue where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (79% reduction).

DESIGN REVIEWS:

1. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
2. Senior housing (multiple family development).
3. Increase finished grade to 90 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 150% increase).

PROPOSED LAND USE PLAN:

SPRING VALLEY - URBAN NEIGHBORHOOD (UN)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.3
- Number of Units: 180
- Density (du/ac): 24.9
- Project Type: Senior housing
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 50,205 (Buildings 1 & 3)/55,565 (Building 2)
- Open Space Required/Provided: 18,000/58,000
- Parking Required/Provided: 180/181

Site Plan and Request

The applicant is requesting a conforming zone boundary amendment to reclassify 7.3 acres from CRT zoning to an R-4 zoning district for a proposed senior housing (multiple family) development on the subject property. Application PA-23-700020 is the corresponding plan amendment for the subject property requesting to change the planned land use from Neighborhood Commercial (NC) to Urban Neighborhood (UN).

The proposed senior housing development has been deemed as an affordable housing project. The plans depict a proposed senior housing (multiple family development) on a 7.3 acre project site consisting of 180 dwelling units with a density of 24.9 dwelling units per acre. The proposal consists of 3, two story buildings oriented in a north/south direction within the boundaries of the

project site. 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
1	685	119	67	29
2	347	87	377	35.5
3	71.5	87	672	35.5

A waiver of development standards is required to reduce the height/setback ratio for the south side of Building 1 that is abutting 2 single family residences to the south. The overall footprint of Buildings 1 and 2 are separated by a vehicle drive aisle/fire lane measuring 24 feet in width while an open space area separates the footprints of Buildings 2 and 3. The development requires 18,000 square feet of open space where 58,000 square feet of open space is provided. Open space consists of a community pool and spa with lounge seating, open space corridor with shade trees, community vegetable garden, outdoor barbecue area, outdoor dog run, and courtyards with artificial turf. The senior housing development requires 180 parking spaces where 181 parking spaces are provided on the east side of the site. Access to the site is granted via driveways along Edna Avenue and Red Rock Street. A vacation and abandonment of the southern portion of Red Rock Street is a companion item. Red Rock Street is planned to terminate in a cul-de-sac at the Coley Avenue alignment. Access will be taken from the cul-de-sac. The driveway along Red Rock Street necessitates a waiver of development standards for access to a local street. An emergency vehicle crash gate is located at the southwest corner of the site, adjacent to the existing office complex. Waivers of development standards are required to reduce the throat depth for the driveways along Edna Avenue and Red Rock Street. A 5 foot wide detached sidewalk is provided along Edna Avenue while a 5 foot wide attached sidewalk is provided along Red Rock Street. An increase in finished grade is also part of this request, with the largest increase occurring at the southeast corner of the site, south of Building 1.

Landscaping

The plans depict a 15 foot wide landscape area along Edna Avenue, featuring a 5 foot wide detached sidewalk; however, the required number of trees are not proposed. An 8 foot high decorative fence is located within the 15 foot wide landscape area adjacent to Edna Avenue. A 10 foot wide street landscape area, including an 8 foot high decorative fence, is located behind a proposed 5 foot wide attached sidewalk adjacent to Red Rock Street. Waivers of Development Standards for alternative street landscaping, increase fence height, and to permit the decorative fence within the landscape areas are part of this request. An 8 foot high decorative block wall is depicted along the west property line of the site, adjacent to an existing commercial complex, requiring a waiver of development standards to increase the block wall height. An 8 foot high decorative fence, in addition to medium, 24-inch box trees planted 40 feet on center, are provided along the southeast corner of the site, adjacent to undeveloped parcels zoned R-E (RNP-1). A landscape area measuring 5.5 feet in width is located along the south property line of the site, adjacent to the 2 existing single family residences. A single tree will be planted at the southeast and southwest corners of the south property line, in addition to shrubs. The proposed

landscaping along the south and southeast property lines requires a waiver of development standards for landscaping adjacent to a less intensive use.

In lieu of providing the required amount of landscape finger islands within the interior of the site, specifically where carports are proposed, additional trees have been distributed throughout the interior of the development. The development requires a total of 31 medium trees or 23 large trees, whereas 109 trees overall (92 medium trees and 17 large trees) are provided throughout the site.

Elevations

The plans depict three, 2 story buildings extending up to 30 in height to the top of the parapet walls. The exterior of the building consists of stucco and foam trim. The mass of the buildings are reduced by off-set surface planes, parapet walls, and pitched concrete tile roofs along the roofline at varying heights. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The buildings are painted with neutral, earth tone colors. The carport structures measure up to 12 feet in height and feature photovoltaic solar panels that will be surface mounted. The carport structures will be painted to match the building.

Floor Plans

The plans consist of 48, one bedroom and 12, two bedroom units within each of the 3 buildings, for a total of 180 units. Building 2 includes the leasing office, fitness room, laundry room, resident lounge area, computer room, and miscellaneous other rooms necessary for the operation of the development.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the subject property is situated in an area that is currently undergoing significant commercial and residential development. Properties adjacent to South Jones Boulevard are primarily commercial while surrounding areas are quickly becoming more residential. With this growth the need for affordable housing has become a local dilemma. This affordable senior housing development helps Clark County achieve its goals to provide affordable senior housing. The proposed 180 affordable senior apartments will help Clark County in achieving the goals in its' Transform Clark County Master Plan. Goals such as encourage development of affordable housing units whenever possible; affordability over extended periods; sustainable practices; dispersed throughout the County; remain in their own neighborhood as their housing needs change; and a mix of quality housing that is attractive and affordable to a diversity of ages.

The applicant indicates the waiver to reduce the height/setback ratio is necessary as it relates to a parapet wall that screens roof top mounted equipment. This parapet wall also enhances the architecture and elevation of the building. The location of the 8 foot high decorative fence occurs to the terminating cul-de-sac bulb along Red Rock Street. The 8 foot high decorative fence along the north and east portions of the site will provide security and visibility to the development. A 10 foot wide landscape area with an 8 foot high decorative fence will be located

behind an attached, 5-foot wide sidewalk along Red Rock Street. Medium, 24 inch box trees have been provided along the southeast property line, in addition to an 8 foot high decorative fence, adjacent to the undeveloped lots. Two medium 24 inch box trees are located at the corners of the south property line, along with a 5 foot 6 inch strip of shrubs and vista gold chat rock with mulch. Furthermore, additional trees have been added adjacent to Building 1 to provide additional screening. The applicant states that primary access to the development will be located off Edna Avenue while secondary access will be located on Red Rock. The development is restricted to senior housing so the times that the driveway to the site are at off peak hours and the total number of trips is reduced due to the residents being seniors. The reduced throat depth is based on the location of the 2 driveway entrances, the configuration of the drives, and the classification of the residents. 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 31 medium trees or 23 large trees, whereas 109 trees overall (92 medium trees and 17 large trees) are provided throughout the site. An increase in finished grade is also requested to ensure the buildings are set high enough above the grade in Edna Avenue and Red Rock Street to provide adequate flood protection.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1058-01 (ET-0349-04)	First extension of time to reclassify the site from R-E to CRT zoning subject to removing the time limit	Approved by BCC	December 2004
ZC-1058-01	Reclassified the site from R-E to CRT zoning	Approved by BCC	November 2001
VS-1230-98	Vacate and abandon a portion of right-of-way being Coley Avenue located between Jones Boulevard and Red Rock Street	Approved by BCC	November 1998

Surrounding Land Use

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

Related Applications

Application Number	Request
PA-23-700020	A plan amendment to redesignate the land use category from Neighborhood Commercial (NC) to Urban Neighborhood (UN) is a companion item on this agenda.
VS-23-0398	Vacate and abandon a portion of right-of-way being Red Rock Street is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

Staff finds the proposed zoning complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Furthermore, the proposed zoning complies with Goal 1.2 that encourages expanding the number of long-term affordable housing units available in Clark County. However, the reclassification of the project site to an R-4 zoning district would allow a density up to a maximum of 25 dwelling units per acre that is incompatible with the R-E (RNP-1) zoning district to the east, north, and south. Therefore, staff recommends denial of this request.

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 proposed use for senior housing is consistent with the goals and policies of the Master Plan, as listed below, to provide opportunities for diverse housing options meeting the needs of residents of all ages, income levels and abilities.

- Policy 1.1.1 (Mix of Housing Types) - Encourage the provision of diverse housing types at varied densities and in numerous locations. In particular, seek opportunities to expand "middle" housing options that are less prevalent in unincorporated parts of Clark County, such as duplexes, townhomes, three and four-plexes, and smaller multiple family complexes.
- Policy 1.1.2 (Housing Access) - Concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services.
- Policy 1.1.4 (Supportive Housing) - Encourage housing options that incorporate universal design principles to facilitate aging-in-place, and accommodation of older residents and others with mobility limitations or disabilities.
- Policy 1.1.5 (Housing for Vulnerable Populations) - Collaborate with local and regional partners on development of programs and resources to prevent residents from becoming homeless and facilitate the provision of expanded housing for vulnerable populations, including the elderly and those transitioning away from homelessness.
- Goal 1.2 – Expand the number of long-term affordable housing units available in Clark County.
- Policy 1.2.3 (Non-Profit Ownership) - Encourage acquisition of housing by non-profit organizations, land trusts, or tenants as a strategy to protect housing from upward pressure on prices and rents.

Staff finds the proposed senior housing use is consistent with the purpose, goals, and policies of the Master Plan. However, since staff is not supporting the zone boundary amendment associated with this request, staff cannot support the use permit.

Waiver of Development Standards

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

Waiver of Development Standards #1

Staff has no objection to the proposed increase in the wall and fence height along the perimeter of the project site as it will provide additional security for the development. The increased wall and fence height should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting the zone boundary amendment, use permit, and design reviews, staff recommends denial of this request.

Waiver of Development Standards #2

The intent of the height setback ratio is to ensure there is a sufficient setback distance from non-residential and multiple family development to a single family residential use. The reduced height/setback ratio occurs for Building 1, located along the south portion of the site, which is oriented towards 2 existing 1 story single family residences. Although the reduced height/setback ratio is minimal, staff cannot support this request since staff is not supporting the zone boundary amendment, use permit, and design reviews.

Waiver of Development Standards #3

Staff has no objection to utilizing an alternative form of landscaping, consisting of medium trees and an 8 foot high decorative fence along the southeast corner of the project site, adjacent to the undeveloped R-E (RNP-I) zoned lots. Staff is concerned with the minimal amount of landscaping provided along the south property line, adjacent to the 2 existing single family residences. Staff is not supporting the zone boundary amendment, use permit, waiver and design review requests; therefore, recommends denial of this request.

Waiver of Development Standards #4

The alternative landscaping proposed along Red Rock Street and Edna Avenue will improve the aesthetics of the streetscape and the surrounding area. However, staff finds the site can be reconfigured to provide the Code required detached sidewalk along Red Rock Street and the required landscaping along Edna Avenue. The 8 foot high decorative fence that is located within the street and perimeter landscape areas should have minimal to no impact on the surrounding land uses. However, since staff is not supporting the zone boundary amendment, use permit, waiver and design review requests, staff recommends denial of this request.

Waiver of Development Standards #5

The intent of prohibiting multiple family and non-residential development to a local street is to ensure the associated vehicular traffic does not have an adverse or negative impact on the single family residential neighborhood. Staff is concerned that providing access to Red Rock Street, a local street serving an existing low-density, single family residential area, may impact the existing neighborhood through the increase in vehicular traffic associated with the senior housing development. Therefore, staff recommends denial.

Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees within the interior of the site complies with the Master Plan by encouraging screened parking areas and extensive landscaping. The multiple family development requires a total of 31 medium or 23 large trees within the interior of the parking lot. A total of 109 trees (92 medium and 17 large), will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect improving 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 trees will provide additional shade and improve the overall aesthetics of the senior housing development. However, since staff is not supporting the zone boundary amendment, use permit, and waiver requests, staff recommends denial of this design review.

Design Review #2

The senior housing (multiple family) buildings have been designed to avoid a monotonous linear pattern along the street frontage, thereby reducing the visual mass of the building. The project provides several amenities including open space, a swimming pool, clubhouse, and fitness center. Furthermore, the building includes off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights. However, since staff is not supporting the zone boundary amendment, use permit, and waiver requests, staff recommends denial of this design review.

Public Works - Development Review

Waiver of Development Standards #6

Staff has no objection to the reduction in throat depth for both commercial driveways. The driveways should see equal use helping to mitigate potential conflict caused by reduced throat depth. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Design Review #3

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

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 20, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:**Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water 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 use permit, waivers of development standards, and design reviews 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;
- Right-of-way dedication to include 25 feet to the back of curb and a knuckle for Red Rock Street, 35 feet to the back of curb for Edna Avenue, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that 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.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ROBERT FEIBLEMAN
CONTACT: JANET DYE, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL
ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT



AGENDA LOG AMENDMENT
Department of Comprehensive Planning

2

Application Number: ZC-23-0397

Property Owner or Subdivision Name: RRP LLC Et. Al.

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** _____ **PC** _____ **BCC** _____

Add this application to the: **TAB/CAC** _____ **PC** 8/15/23 **BCC** 9/20/23

Change(s) to be made:

Held no date specific

Withdrawn

No change to meeting(s) 8/8/23 Spring Valley TAB

Amend Write-up

Renotify

Make a public hearing (Radius: _____)

Rescheduling

Other: Advance public hearing dates.

Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____

Refund

80%

100% (please include justification for full refund below)

AMOUNT OF REFUND\$: _____

Reason for Change: Advance public hearing meeting dates for PC and BCC per Planning Management - out of cycle.

Change initiated by: MND Date: 6/28/23

Change authorized by: JAD Date: 6/28/23

Change processed by: ds Date: 6/28/23

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

Parcel Number(s): 163-12-301-005 and 163-12-304-010

Town Board(s): Spring Valley



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>2C-23-0397</u> DATE FILED: <u>6/21/23</u> PLANNER ASSIGNED: <u>MMD</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>8/8/23</u> PC MEETING DATE: <u>8/15/23 @ 7:00 P.M.</u> <u>@ 6:00</u> BCC MEETING DATE: <u>9/20/23 @ 9:00 A.M.</u> FEE: <u>EXEMPT</u>
	PROPERTY OWNER NAME: <u>RRP LLC</u> ADDRESS: <u>2980 S. JONES BLVD., SUITE I</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-384-6077</u> CELL: _____ E-MAIL: <u>vpaublick@aol.com</u>
	APPLICANT NAME: <u>ROBERT FEEBLEMAN</u> ADDRESS: <u>285 E WARM SPRINGS #101</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.410.2731</u> CELL: _____ E-MAIL: <u>RFEIBLEMAN@NEVADAHAND.ORG</u> REF CONTACT ID #: _____
	KORRESPONDENT NAME: <u>CLAYTON NELSEN/JANET DYE. LR NELSON CONSULTING ENGINEERS</u> ADDRESS: <u>6765 W RUSSELL ROAD #200</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.788.7878</u> CELL: _____ E-MAIL: <u>clayton.nelsen@lrmeng.com/janet.dye@lrmeng.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-12-301-005

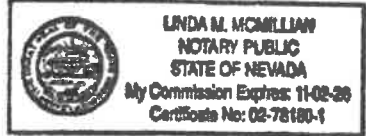
PROPERTY ADDRESS and/or CROSS STREETS: EDNA AND RED ROCK

PROJECT DESCRIPTION: SENIOR APARTMENTS

(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.

Vicky K. Paulbick RRP LLC, by: Vicky K. Paulbick
Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON February 16, 2023 (DATE)
by Vicky K. Paulbick
NOTARY PUBLIC: Linda M. McMillian



*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.



**NEVADA HAND
CONSTRUCTION**

20-23-0397

June 15, 2023

Mr. Mark Donohue
Principal Planner
Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

**PLANNER
COPY**

Reference: Justification Letter APN: 163-12-301-005 & 163-12-304-010
Project: Edna Pines

Dear Mr. Mark Donohue:

Please accept this justification letter addressing the development plans for the above referenced parcels. We are requesting a re-zone from Commercial Residential Transitional (CRT) to Multiple-Family Residential District (High Density) (R-4), Master Plan Amendment, Site Plan Review, Special Use Permit (Senior Housing), Design Review and Waiver of Development Standards.

We propose to construct 180 apartments on 7.22 acres at a density of 31.1 units per acre where 39 units per acre are allowed for senior housing developments. The proposed development consists of 144 one-bedroom and 36 two-bedroom apartments along with indoor and outdoor common area spaces, and various amenities. Common areas include a community pool or spa with lounge seating, open space corridor with shade trees, community vegetable garden, outdoor BBQ area, outdoor dog run, and courtyards with artificial turf. Interior amenities include an entry lobby, onsite management offices, copy room and storage area, fitness room, and laundry facilities.

The development meets required development standards, including setbacks, density, lot area, building height, open space (100 square feet per unit), and parking. Per Table 30.60-1, 180 parking stalls are required at a 1:1 ratio, and we propose 181 parking stalls, which exceeds this requirement.

For nearly 30 years, Nevada HAND has focused on providing high quality affordable housing. We have demonstrated that by collaborating proactively with elected officials, planning departments, neighbors, its residents, and property management teams; the overall development will be better for all and sustainable.

In addition to high quality apartments and amenity filled common areas, Nevada HAND provides Resident Service Coordinators, private transportation, and collaboration with other nonprofits to bring services to our residents. This development will be financed through the Low-Income Housing Tax Credit program which is administered by the Nevada Housing Division. Rents are based on income as a percentage of Area Median Income (AMI).

We are requesting waivers of the development standards listed below:

1. Allow for an 8' tall wall along the western property line (Figure 30.64-8) without increasing the landscape strip from 6' to 10'.

Justification: The additional 2' of wall reduces the chance of people climbing over and provides more privacy to the residents of the community.

2. Allow for a reduction of street landscape required along the east property line.

Justification: Per Chapter 30.64 030(K), in conjunction with Figure 30.64-17 required landscape includes one large tree for every 30 linear feet; one medium tree for every 20 linear feet; and one small tree for every 10 linear feet of street frontage. These distances may be increased by 10 feet if 24-inch box trees are planted instead

**O (702) 739-3345 F (702) 739-3305 www.NEVADAHAND.org
295 E. Warm Springs Road, Suite 101 Las Vegas, Nevada 89119**





NEVADA HAND CONSTRUCTION

of 15-gallon trees. 15 large, 24-inch box trees are required along Red Rock Street. As proposed, 16, 24-inch box trees (4 medium and 12 large) are provided along Red Rock Street, meeting the landscape requirement.

Nevada HAND is requesting a waiver of street trees required south of Coley Avenue along Red Rock. One (1) medium 24-inch box tree and one (1) large 24-inch box tree is proposed along the east property line south of Coley Avenue. A 5-foot sidewalk with a 5-foot landscape strip on both sides are proposed. These landscape strips will have a row of shrubs and vista gold chat rock with mulch within them. A 20' front setback would be required but an 87.45' setback is proposed between the east property line and building exterior. The increased setback, along with other trees and shrubs proposed between the setback and property line, gives properties to the east (currently vacant land) enhanced screening from the proposed development.

3. Allow for a reduction of landscape required along the south property line.

Justification: Per figure 30.64-11, one (1) large 24-inch box tree, per every 20' is required on the south property line. As proposed, two (2), medium, 24-inch box trees are located at the corners of the south property line, along with a 5'-6" strip of shrubs and vista gold chat rock with mulch. A 20' side yard setback would be required but a 71.5' setback is proposed between the south property line and building exterior. The increased setback, along with other trees and shrubs proposed between the setback and property line, gives property owners to the south enhanced screening from the proposed development.

4. Allow access to Red Rock, which is a local street right-of-way.

Justification: The Fire Department requires two (2) points of access. Primary access will be located off Edna Avenue while secondary access will be located on Red Rock.

We are requesting a Design Review for Adjustments to Site Landscaping and Screening Standards in lieu of a Waiver of Development Standards. Chapter 30.64.050(b) on Page 30.64-21 discusses adjustments to site landscaping and screening standards. Adjustments to landscape standards include those related to screening and buffering, placement and amount of landscape materials, parking lot landscaping, amount of turf, and the location of fences and walls. Specific to parking lot landscaping, Chapter 30.64 Figure 30.64-14 requires that "one large tree shall be provided for every 8 parking spaces, or one medium tree may be substituted for every 6 spaces, with trees generally distributed throughout the parking lot." 31 medium trees or 23 large trees would be required, whereas 109 trees overall, or 92 medium trees and 17 large trees are provided throughout the site. The landscape plan meets the overall intent of this chapter, but Nevada HAND is looking to remove the spacing requirement within the parking lot and removing parking lot fingers.

Additionally, we are requesting a Design Review for Fill, as the site will require more than 36". This is needed to ensure that the building is set high enough above the grade in Edna Avenue and Red Rock Street to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 6.34' (76.08"). Due to what may be unforeseen conditions, we are requesting a maximum fill height of 6.5' (78").

We are requesting a Special Use Permit for senior housing as required by Table 30.44-1 of Chapter 30.44. The R-4 zone district allows up to 39 senior housing units per acre. Approximately 31.1 dwelling units per acre are proposed, which meets the requirements of the Development Code.

The property is situated in an area that is currently undergoing significant commercial and residential development. Properties adjacent to South Jones Boulevard are primarily commercial while surrounding areas are quickly becoming more residential. With this growth the need for affordable housing has become a local dilemma. This affordable senior housing development helps Clark County achieve its goals to provide affordable senior housing. Senior housing is typically deemed a low impact use as broken down in the list below. Further, this will be a Clark County Certified Affordable Housing project, which allows fees to be reduced and processing expedited.

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295 E. Warm Springs Road, Suite 101 Las Vegas, Nevada 89119


CHARTERED MEMBER

PLANNER
COPY



NEVADA HAND CONSTRUCTION

Currently, the development site is zoned Commercial Residential Transitional (CRT). Parcels to the north, south, and east are zoned Rural Estates Residential (R-E) and parcels to the west are zoned Office and Professional (C-P). Rezoning the site to Multiple-Family Residential District (High Density) (R-4) would help transition from Rural Estates Residential (R-E) to the east and more intensive commercial uses to the west along South Jones Boulevard. More specifically, the proposed zone change, and intended use, would help the County "transition between viable residential districts" and "major streets" (see Title 30.40.180). The development has direct access to Edna Avenue, which is an 80 foot right of way collector, thus minimizing any impact to other roads in proximity. In addition to this, the neighborhood businesses will benefit from the support of the new residents.

There will not be an adverse effect on these facilities and services, as the proposed development is senior multi-family housing.

- a. Senior housing presents no impact on schools and minimal effect on roads.
- b. Buildings will have the required fire suppression equipment.
- c. The primary access to the site will be from Edna Avenue, which is an 80' right-of-way collector street, and the traffic impact should be minimal. There is one (1) secondary access point to the site by way of Red Rock Street, which is a 60' right of way local street, and the traffic impact should be minimal. Combined, there are two points of access to the site.
- d. Water and sewer provisions are adjacent to the site and located in Edna Avenue.
- e. Drainage is not an issue since those concerns will be addressed in pre-development studies and technical drainage study in the design phase of the project with appropriate actions put into place.

These 180 affordable senior apartments will help Clark County in achieving the goals in its' Transform Clark County Master Plan. Goals such as encourage development of affordable housing units whenever possible; affordability over extended periods; sustainable practices; dispersed throughout the County; remain in their own neighborhood as their housing needs change; and a mix of quality housing that is attractive and affordable to a diversity of ages.

Recent data from www.NLIHC.org shows that Nevada has a shortfall of 83,994 affordable units for extremely low-income renters and 30% of the renters are seniors (current as of June 15, 2023). The construction of new affordable housing is difficult due to a myriad of issues, e.g., limited financing options, zoning, land costs, and land availability. Therefore, every newly constructed affordable unit is important.

Nevada HAND is the largest nonprofit in Nevada focused solely on affordable housing. We help Clark County achieve its goals. This request has a density and height that are driven by the current high price of land. The current development and construction boom makes it difficult to secure land, yet we have been fortunate to secure this site in an area which has been mostly lacking in affordable housing. The proposed two-story buildings further minimize the impact to adjacent development and area streets. The Santa Barbara Mission architecture is timeless and elegant.

As land availability decreases and prices increase, Clark County's goal of more affordable housing becomes more difficult. Higher density buildings are a result of all the factors combined. The evolution of the neighborhood indicates that a project of this nature will enhance the area, adding diversity and vitality, one of the current goals of affordable housing.

On February 23, 2023, Nevada HAND hosted a neighborhood community meeting and presented the project seeking public input. Public comments and questions included the proposed development standards, on-site security, infrastructure improvements, traffic and circulation, density, and funding sources. Nevada HAND listened to and tried to incorporate these comments into the development.

In summary, Nevada HAND has reviewed the development code and supporting documents; existing conditions such as roads, drainage, dry and wet utilities, fire suppression, transportation and circulation, ingress and egress, residential and commercial transitions; and neighboring properties, and is pleased to submit this compatible development for your review. We look forward to the opportunity to discuss this application in more detail.

O (702) 739-3345 F (702) 739-3305 www.NEVADAHAND.org
295 E. Warm Springs Road, Suite 101 Las Vegas, Nevada 89119



PLANNER
COPY



NEVADA HAND
CONSTRUCTION

Respectfully yours,

Nathan Bouvet
Director of Development

**PLANNER
COPY**

O (702) 739-3345 F (702) 739-3305 www.NEVADAHAND.org
295 E. Warm Springs Road, Suite 101 Las Vegas, Nevada 89119



08/15/23 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

COLEY AVE/RED ROCK ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0398-RRP, LLC:

VACATE AND ABANDON a portion of a right-of-way being Red Rock Street located between Coley Avenue and Palmyra Avenue within Spring Valley (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:
163-12-301-005; 163-12-304-010; 163-12-304-001; 163-12-304-002

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description
The plans depict the vacation and abandonment of a 30 foot wide portion of right-of-way being Red Rock Street, measuring 640 feet in length with an area of 19,486 square feet. This portion of Red Rock Street is no longer needed for right-of-way purposes.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1058-01 (ET-0349-04)	First extension of time to reclassify the site from R-E to CRT zoning subject to removing the time limit	Approved by BCC	December 2004
ZC-1058-01	Reclassified the site from R-E to CRT zoning	Approved by BCC	November 2001
VS-1230-98	Vacated and abandoned a portion of right-of-way being Coley Avenue located between Jones Boulevard and Red Rock Street	Approved by BCC	November 1998

Surrounding Land Use

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

Related Applications

Application Number	Request
ZC-23-0397	Zone change to reclassify the site to R-4 zoning, with a use permit, waivers of development standards, and design reviews is a companion item on this agenda.
PA-23-700020	Plan amendment to redesignate a land use category from Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 7.2 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 20, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITTONS:

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb and a knuckle for Red Rock Street, 35 feet to the back of curb for Edna Avenue, and associated spandrel;
- Grant a private access easement to APN 163-12-305-004;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ROBERT FEIBLEMAN

CONTACT: JANET DYE, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

DRAFT



AGENDA LOG AMENDMENT
Department of Comprehensive Planning

3

Application Number: VS-23-0398

Property Owner or Subdivision Name: Vicki K. Paulbick and Chris J. Paulbick

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** _____ **PC** _____ **BCC** _____

Add this application to the: **TAB/CAC** _____ **PC** 8/15/23 **BCC** 9/20/23

Change(s) to be made:

- Held no date specific
 - Withdrawn
 - No change to meeting(s) 8/8/23 Spring Valley TAB
 - Amend Write-up
 - Renotify
 - Make a public hearing (Radius: _____)
 - Rescheduling
 - Other: Advance public hearing dates.
 - Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____
 - Refund
 - 80%
 - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: _____

Reason for Change: Advance public hearing meeting dates for PC and BCC per Planning Management - out of cycle.

Change initiated by: MND **Date:** 6/28/23

Change authorized by: JAD **Date:** 6/28/23

Change processed by: ds **Date:** 6/28/23

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

Parcel Number(s): 163-12-301-005 and 163-12-304-010

Town Board(s): Spring Valley



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

3

APPLICATION TYPE

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

DEPARTMENT USE

APP. NUMBER: VS-23-0398 DATE FILED: 6/21/23
 PLANNER ASSIGNED: MNO
 TAB/CAC: SPRING VALLEY TAB/CAC DATE: 8/8/23
 PC MEETING DATE: 8/18/23 @ 7:00 P.M. @ 6:00
 BCC MEETING DATE: 9/26/23 @ 9:00 P.M.
 FEE: EXEMPT

PROPERTY OWNER

NAME: Vicki K. Paulbick and Chris J. Paulbick
 ADDRESS: 2980 S. JONES BLVD., SUITE I
 CITY: Las Vegas STATE: NV ZIP: 89146
 TELEPHONE: 702-384-6077 CELL: _____
 E-MAIL: vpaulbick@aol.com

APPLICANT

NAME: ROBERT FEIBLEMAN
 ADDRESS: 295 E WARM SPRINGS #101
 CITY: LAS VEGAS STATE: NV ZIP: 89119
 TELEPHONE: 702.410.2731 CELL: _____
 E-MAIL: RFEIBLEMAN@NEVADAHAND.ORG REF CONTACT ID #: _____

CORRESPONDENT

NAME: CLAYTON NEILSEN/JANET DYE. LR NELSON CONSULTING ENGINEERS
 ADDRESS: 6765 W RUSSELL ROAD #200
 CITY: LAS VEGAS STATE: NV ZIP: 89118
 TELEPHONE: 702.798.7978 CELL: _____
 E-MAIL: CLAYTON.NEILSEN@LRNENG.COM REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-12-304-010

PROPERTY ADDRESS and/or CROSS STREETS: EDNA AND RED ROCK

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.

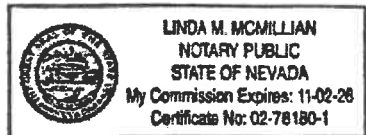
[Signature]

Property Owner (Signature)*

[Signature]
Vicki K. Paulbick

Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON February 6, 2023 (DATE)
 By Vicki K. Paulbick Chris Paulbick
 NOTARY PUBLIC: Linda M. McMillian



*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.

818-049-222

VS-23-0398

May 11, 2023

LARRY R. NELSON, P.E.
President

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

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

Reference: **Vacation of Right-of-Way Justification Letter for APN# 163-12-304-010**

Dear Staff:

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

We are proposing to vacate 30' of the right-of-way for Red Rock Street from Coley Avenue to the south property line. This came about as a request from the neighbors from the neighborhood meeting. The vacation has also been discussed with Commissioner Justin Jones and has his support.

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

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



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

CLN/jd

NEVADA

L.R. NELSON
CONSULTING ENGINEERS, LLC

6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lnelson@lmeng.com

UTAH

L.R. NELSON
CONSULTING ENGINEERS, LLC

51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lmengineers@lrnslc.com

08/15/23 PC AGENDA SHEET

DAYCARE
(TITLE 30)

TROPICANA AVE/TEE PEE LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0290-FORT APACHE DOMINUS, LLC:

USE PERMIT for a daycare facility within an existing apartment development on a portion of 15.6 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the north side of Tropicana Avenue and the east side of Tee Pee Lane within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

163-19-813-001, 163-19-813-000 ptn

LAND USE PLAN:

SPRING VALLEY - COMPACT NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 9552 Tropicana Avenue
- Site Acreage: 15.6 (portion)
- Number of Lots/Units: 274
- Project Type: Daycare
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 2,000
- Parking Required/Provided: 554/575

History & Site Plan

The site plan depicts an existing apartment complex with 575 parking spaces, including the 15 spaces adjacent to the now expired daycare center on the south side of the property (UC-1547-00). Access to the apartments is from Tropicana Avenue with pedestrian and emergency vehicle access at Tee Pee Lane. A portion of the property is zoned R-2 along the west 150 feet of the apartment complex, with the rest of the property zoned R-3. The building located on the south side of the property was previously approved as a daycare and is currently vacant, creating a surplus of parking spaces. However, a future use of that building may require the approval of a waiver for parking. The plans show an existing clubhouse building is centrally located within the R-3 zoned portion of the site, with pedestrian sidewalk access on all sides and parking

located approximately 75 feet southwest of the clubhouse. This request is to convert the existing clubhouse to a daycare facility.

Landscaping

The property is currently landscaped and no new landscaping is proposed with this use. The subject building is located in a courtyard with existing trees, landscaping, and sod.

Elevations

The elevations depict a 20 foot high building with stucco siding, and hip style tile roof that matches the surrounding apartment buildings. Pedestrian doors are located on the north and south sides of the building with transom framed picture windows located on the north and east facades of the building.

Floor Plans

The floor plans depict an open floor plan with 1,200 square feet of space for the activity room, a 160 square foot office, a 350 square foot computer room, restrooms, and storage area.

Signage

Signage is not a part of this request.

Applicant's Justification

The existing multiple family affordable housing apartment development has an activity building that is proposed for the continued use as a Boys and Girls Club youth facility. Children between the ages of 6 and 18 will use this site for after school activities and supportive childcare. The youth facility will provide a safe environment for local neighborhood children and kids from nearby schools.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1547-00	Freestanding daycare building - expired	Approved by PC	December 2000
ZC-0576-99	Reclassified from R-E to R-3 zoning	Approved by BCC	June 1999
ZC-1870-98	Reclassified from R-E to R-3 and R-2 zoning	Approved by BCC	January 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-E	Single family residential
South	Corridor Mixed-Use	C-2	Office & retail
East	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-3 & C-2	Multiple family residential, retail, & office

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed-Use	C-1 & R-2	Single family residential & retail

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.

The R-2 zoned portion of the apartment complex was originally parked using 2 spaces per unit. If the units are calculated using the same percentage of 1, 2, and 3 bedroom units as the R-3 zoned portion of the apartments, the site is overparked by 8 spaces. Additionally, the vacant and expired daycare building on the south side of the property has an additional 15 parking spaces available. If the future use of this building does not meet parking requirements, they may need a waiver. The 8 spaces needed for this use will not create a significant impact to the site when considering the current Title 30 parking requirements. Master Plan Policy 2.1.2 supports equitable access to programs like daycare in areas where barriers to access exist; therefore, staff recommends approval of 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

- Until July 18, 2023 to review as a public hearing.
- Applicant is advised that any use of the building to the south side of the site (previously a daycare building) may need a waiver of development standards for parking; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no

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

Public Works - Development Review

- Traffic study and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JANET DYE

CONTACT: JANET DYE, LR NELSON CONSULTING ENGINEERS, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

4

Application Number: UC-23-0290

Property Owner or Subdivision Name: FORT APACHE DOMINUS LLC

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** 7-11-2023 **PC** 8-1-2023 **BCC** _____

Add this application to the: **TAB/CAC** 8-8-2023 **PC** 8-15-2023 **BCC** _____

Change(s) to be made:

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

Reason for Change: Need clarification on parking analysis

Change initiated by: BSB Date: 6-29-2023

Change authorized by: JAD Date: 6/29/23

Change processed by: ds Date: 6/29/23

Follow up assigned to: _____ Instructions: _____

Parcel Number(s): 163-19-813-001, 16319813000

Town Board(s): Spring Valley

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

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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

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 checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF ZC/UC/WS/DR-23-0431 APP. NUMBER: _____ DATE FILED: <u>7-11-2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Christina</u> TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: <u>9.6.2022</u> FEE: <u>#2875</u>
	PROPERTY OWNER NAME: <u>SDMI Rainbow LLC</u> ADDRESS: <u>7301 Peak Drive Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>davids@sdmi-lv.com</u>
	APPLICANT NAME: <u>David Steinberg</u> ADDRESS: <u>7301 Peak Drive Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-240-1232</u> CELL: <u>N/A</u> E-MAIL: <u>davids@sdmi-lv.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 163-10-707-011

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Boulevard and Palmyra Avenue

PROJECT DESCRIPTION: Proposed Commercial Development

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

David Steinberg
Property Owner (Signature)*

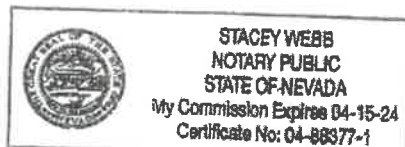
David Steinberg
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 25, 2022 (DATE)

By David L. Steinberg

NOTARY PUBLIC: Stacey Webb



*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-22-101143

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Brown, Brown & Premsrirut

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

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

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EMAIL: jbrown@brownlawiv.com

May 30, 2023

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

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RE: SDMI Rainbow LLC

Rainbow & Palmyra- Justification Letter – Revision 3

- **Conforming Zone Change for a proposed Commercial Development**
- **Special Use Permits for**
- **Waivers of Development Standards**
- **Design Reviews**

Assessors' Parcel Numbers: 163-10-707-011

To Whom It May Concern:

On behalf of our Client, SDMI Rainbow LLC., we respectfully submit this application package for a proposed Conforming Zone Change application package from Rural Estates Residential (R-E) zoning to Office and Professional (C-P) zoning for a proposed commercial development consisting of two buildings consisting of one office building with a Special Use permit for the second building consisting of retail uses and a restaurant with a drive through. The proposed project is located on the west side of Rainbow Boulevard and the north side of Palmyra Avenue on a total of 2.8 acres. The current zoning of the site is R-E with a designation of Neighborhood Commercial (NC) within the Spring Valley Planning. Immediately north of the proposed development is an existing medical office building in a C-P zone and designated Neighborhood Commercial (NC). To the south of the proposed development is an existing place of worship in a R-E zoned parcel and designated Public Facilities (PU) in the Master Plan. To the immediate west and southwest across Palmyra are existing single-family residences zoned R-E (Rural Estates) (RNP-1) and designated Residential Estates Neighborhood (RN) (RNP-1). East, and southeast across Rainbow Boulevard are existing single-family residences zoned R-E and designated as RN in the Master Plan and a developed office complex zoned C-P and designated (NC) in the Master Plan. Also east is a P-F zoned drainage facility designated Open Lands (OL) in the Master Plan.

Two voluntary neighborhood meetings were held on December 12, 2022, and January 17, 2023, to discuss the project with neighbors. Both meetings were held after the first Staff review comments were provided.

Project Description:

The proposed commercial center is a total of 26,000 with the two buildings oriented in an east west direction. The orientation of the building was changed because of a Public Works comment on the original location of the proposed driveway on Rainbow Boulevard and its close proximity

to the driveway for the office building to the north. The orientation of the buildings was also changed to comply with the allowable location of the driveway on Rainbow Boulevard to allow approval by the Nevada Department of Transportation (NDOT) which has jurisdiction over the right-of-way. Building A is located on the northern portion of the site and is a 16,000 square foot office building. Building B is located on the southern portion of the site, is 10,000 square feet with 6,400 square feet of retail on the western end of the building and a 3,600 square foot restaurant with a drive-through on the eastern end of the building. The plans depict two (2) access points; one located on Rainbow Boulevard and the second located on Palmyra Avenue. A total of 117 parking spaces are provided where 116 parking spaces are required with the Shared Use Parking schedule as allowed by Code for centers with more than two uses. 130 parking spaces are required when not using the Shared Use Parking schedule. Eight (8) foot high covered parking spaces are proposed along a portion of the northwestern property line west of the medical office building. Eight (8) handicap accessible spaces and four (4) bicycle spaces. The trash enclosures are located 114 feet 3 inches from the west property line and are screened and buffered by additional 7 foot wide landscape areas. Two loading zones are provided located approximately 91 feet from the west property line and are screened and buffered with additional landscaping. An up to 6 foot high block wall exists along the west property line. An eight foot high block wall is proposed along the west property line and its construction will comply with the required Code requirement.

Elevations:

Building A is up to 28 feet high to the top of the parapet. Building B is up to 25 feet high to the top of the parapet. The building materials for both buildings consist of colored E.F.I.S. wall finishes and architectural CMU. The design accents include tile veneer, painted metal awnings and strips, doors, and windows with reflective glass with low E glazing to include complementary and contrasting colors with aluminum store front doors and windows.

Floor Plans:

Building A is 16,000 square feet and includes office spaces, a medical office, and equipment areas. Building B is 10,000 square feet and includes retail areas, a restaurant with a drive-through.

Landscaping:

A 15 foot wide minimum and up 36 foot wide landscaping area with an alternative design consisting of 12 number of trees are provided along Rainbow Boulevard adjacent to the existing five (5) foot wide attached sidewalk along the east property line. Since there is a NVEnergy easement along Rainbow Boulevard and the alternative requested is to address the placement of trees within the easement. A ten (10) foot to 13 foot wide minimum landscaping area is provided along Palmyra Avenue on the south property line. There is existing six (6) foot high zone boundary wall along the west property line, an eight foot wall is proposed along the existing wall and will comply with Code requirements. A ten (10) foot wide landscape area with an intense landscaping buffer is provided along the west property line adjacent to the existing residences.

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An up to thirteen (13) foot four (4) inch wide minimum landscape area is provided along the existing six (6) foot high wall along the northern property line adjacent to the existing medical building to the north. An eight (8) foot high wall is also proposed along the north property line for consistency of design.

The following are the required applications for the project:

Conforming Zone Change:

A conforming Zone Change from an R-E zone to a C-P zone for a proposed commercial development with two buildings for the following uses: office/medical building and a commercial building.

Justification:

The request is for a conforming Zone Change to C-P zoning which complies with the Master Plan designation for the site as Neighborhood Commercial (NC) for the Spring Valley Planning area. Located immediately north of the proposed building is a C-P zoned office building designated NC in the Master Plan. West are developed R-E zoned single family residences designated as Residential Estates Neighborhood (RN) (RNP-1). South across Palmyra Avenue is an existing place of worship (Baptist Church) zoned R-E and designated in the Master Plan as Public Use (PU). East, across Rainbow Boulevard are developed single family residences zoned R-E and a developed C-P zoned office complex. The designation for the site and the developed commercial parcels in the immediate areas are designated NC and developed with similar office and or retail uses. The site is located at the intersection of a local street and an arterial street being Rainbow Boulevard which is a 120 foot wide right-of-way which is typically lined with commercial uses, zoning or planned and developed along its frontage and with some sections developed with residential developments. In this area and case, neighborhood serving uses are developed along this segment, therefore, the request is compatible with and appropriate for the area. The request for C-P zoning is for neighborhood commercial uses to serve the community and immediate area while also providing employment opportunities for the area.

The proposed zone change application is justified because the site fronts Rainbow Boulevard which is the only parcel along this segment of the street that is undeveloped. This portion of Rainbow Boulevard is developed with other community serving commercial uses such as banks, office buildings and complexes, a place of worship, and convenience store, gas station, and restaurants including the Strip View and a Dutch Bros. The proposed C-P zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services and offices uses that serve the residents of the immediate neighborhood. The required public services and infrastructure already exist in the area to support the development of the use since this is one of the few undeveloped parcels along Rainbow Boulevard between Spring Mountain Road and Sahara Avenue. The proposed zoning and uses conforms with goals and policies outlined in the Master Plan such as Countywide policy 1.5.2 and policy SV-1-1 for the Spring Valley planning area to protect neighborhood integrity with infill development that is

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compatible with adjacent developments. The request also complies with other specific Goals and pertinent policies for commercial developments including SV-1.5; SV-2.1, SV-2.2 for the Spring Valley Planning Area which indicates that this request is appropriate for and compatible with existing uses, developments and planned uses in the area.

Special Use Permits to waive the conditional use requirements for Retail and Restaurant Uses in a C-P zone:

1. Permit retail uses and a restaurant that provides service to the general public and not primarily to serve the employees of the office park.
2. Permit exterior advertising for the requested retail and restaurant uses where not permitted per Code.
3. Waive the requirement that the maximum square footage does not exceed 10% of the total square footage of the office complex; or 20% of the building area or 2,000 square feet whichever is less and allow a 10,000 square foot building with retail uses and a restaurant with drive-through.

Justification:

This request is necessary to waive the conditional use requirements and allow a building with retail uses and a restaurant in the proposed C-P zoned complex. The original application was for a C-1 zoned commercial complex with both an office building and a retail/restaurant building. In response to Staff's comments to reduce the original request to C-P zoning because of the existing C-P zoning and uses in the immediate area, the request is reduced to C-P zoning. However, similar to other C-P zoned complexes in the immediate area (Carmel Park south of the Place of Worship) and along other portions of Rainbow Boulevard, between Desert Inn Road and Sahara Avenue this project includes a request for a building with retail uses and a restaurant within the complex. By reducing the original request to a C-P zone and requesting special uses in one of the buildings overall this application is a less intense use that complies with the goals and policies outlined in the Master plan for less intense uses adjacent to existing residential neighborhoods along this section of Rainbow Boulevard. The uses requested and the design of the center reduces and mitigates any impact to the residential development to the west. The parcel fronts Rainbow Boulevard, a major arterial with high traffic volumes and noise, therefore, developing the parcel and providing screening and buffering for the site will reduce and mitigate impacts actual or preserved to the existing residential uses to the west.

Signage is not a part of this application.

Waivers of Development Standards:

1. Permit access to a local street (Palmyra Avenue).

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the area to the west. This direct access from the areas to the west is not only convenient but is a safe way to access the site without accessing Rainbow Boulevard and attempting unsafe U-turns to access or leave the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Rainbow Boulevard, which is an arterial with high volumes of traffic, is busy and with fast traffic. This additional access will help reduce the conflicts on Rainbow Boulevard. Additionally, this request is justified because the existing place of worship, which is a special use and is basically a commercial use per design standards and was allowed two access points to Palmyra. Therefore, there is an existing condition of a commercial use with access on Palmyra Avenue. The requested uses are neighborhood serving and are similar to the place of worship in terms of access, therefore, allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Rainbow Boulevard and Palmyra Avenue.

2. **Waive the required detached sidewalks along both Rainbow Boulevard and Palmyra Avenue.**

Justification:

This request is necessary because of the existing attached sidewalks on both sides of Rainbow Boulevard which ran for miles along the frontage of the right-of-way including of the subject parcel. This parcel is the only undeveloped parcel along Rainbow Boulevard from Spring Mountain Road to Edna Avenue. The developed parcels and those immediately adjacent to the parcel are developed with attached sidewalks along the street frontages; therefore, this request is appropriate to maintain the existing standards and aesthetics along the street frontage. Additionally, there is an existing 15-foot-wide NV Energy easement with an existing attached sidewalk along the frontage of the parcel, which will hinder the provision of a detached sidewalk along Rainbow Boulevard.

3. **Permit alternative landscaping (required trees) along a portion Rainbow Boulevard within an existing NV Energy easement. (Deviate from Figure 30.64-17).**

NV Energy discourages trees within power easement areas and since a 15-foot-wide easement exists along the Rainbow Boulevard frontage the proposed landscaping along the street is an alternative design to Code requirements. A total of 12, 24 inch box trees are provided along the Rainbow Boulevard frontage. The existing power easement does not allow an off-set of the trees as required by Code, but an off-set is provided along portions of the frontage where possible. The plans depict shrubs that will not impact the easement and the trees provided in area with have minimum impact to the easement. Shrubs and ground cover are provided in the area as required by Code. Even though a reduced number of trees are area provided in the easement, the landscaping provided along the north, east and west sides of the site either meet or exceed Code

requirements, therefore, compensating for the trees that are not provided in the easement area along the Rainbow Boulevard frontage.

4. Reduce the Throat Depths.

- a. Reduce the throat depth for the driveway along Rainbow Boulevard to 74 feet (northern) where 100 feet is required.**

Justification:

This request is justified and will not have an impact on the adjacent street because two driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will be backing out of the parking stalls to impede any vehicles that enter and exit the site.

- b. Reduce the throat depth for the driveway along Rainbow Boulevard to 26 feet 7 inches (southern) where 100 feet is required.**

Justification:

This request is justified and will not impact the adjacent street because two driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will be backing out of the parking stalls to impede any vehicles that enter and exit the site.

- c. Reduce the throat depth for the driveway along Palmyra Avenue to 43 feet 2 inches (west) where 100 feet is required.**

Justification:

This request will not impact the adjacent street because this driveway is a secondary ingress and egress access to the site. This driveway will be used primarily by the residents to the west to enter and exit the site, therefore, minimizing impacts to Palmyra Avenue to provide the optimum on-site circulation.

- d. Reduce the throat depth for the driveway along Palmyra Avenue to 97 feet 7 inches (east) where 100 feet is required.**

Justification:

This is a minor reduction to the required throat depth and the request will not impact the adjacent street because this driveway is a secondary ingress and egress access to the site. This driveway will be used primarily by the residents to the west to enter and exit the site, therefore, minimizing any impacts to Palmyra Avenue to provide the optimum on-site circulation.

- 5. Reduce the Departure Distance from the intersection of Rainbow Boulevard and Palmyra Avenue to 156 feet and 4 inches where 190 feet is the standard per the Standard Drawing.**

Justification:

This request is necessary because the width of the lot is 248.85 feet, therefore, any driveway on the southern portion of the site will require optimum design consideration to comply with this requirement to meet throat depth and other design and Code requirements. The location of the driveway is as far west as possible to also comply with Development Code requirements such as the required landscaping to screen and buffer the existing residences to the west. The driveway is located at the optimum location to provide a throat with the optimum ingress, egress, and circulation at the driveway to reduce vehicular conflicts and ensure safety at this area of the site. Additionally, providing landscaping to the west both allows the design of the optimum throat depth and buffer and screening for the residences to the west. A design that places the driveway zero feet from the residences to comply with the departure distance will be more egregious and will not comply with the goals and policies in the Master Plan to buffer existing residential areas adjacent to commercial uses. All Code sections, standards, goals, and policies outlined in the Master Plan must be considered in the design of projects especially with lots with shorter depths.

- 6. Increase the height of a proposed block (screen) wall (zone boundary wall) along the west and north property line to eight (8) feet where an allowable height of six (feet) is the standard.**

Justification:

This request is to provide a higher wall as requested by the homeowners to the west to screen and buffer their residences from the proposed development. The applicant has agreed to the request for the higher wall. The proposal for the new wall is also necessary because the existing block wall (zone boundary wall) along the west property line is up to six (6) feet high, old, may not be strong enough to supported additional height on top of the existing wall. An eight foot high wall is also proposed along the north property line for design consistency. Therefore, the new walls proposed along the west and north property lines will comply with Code requirements as depicted adjacent to the existing wall will provide optimum screening and buffering for the residential uses to the west.

- 7. Reduce the required landscape area adjacent to an attached sidewalk along Palmyra Avenue from 10 feet up to 13 feet where 15 foot wide area is required.**

Justification:

The minimum width of landscaping provided along Palmyra Avenue, which is a local street, is 10 to 13 feet with an attached sidewalk. This request will not have an impact on the neighbors because it is along a local street where less landscaping is provided along the

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Brown, Brown & Premsrirut

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street frontage in the area except along the front of residences facing the street. The required landscaping is provided at other portions of the site including an intense landscape buffer is provided along the west property line. The attached sidewalk and landscape area acts as a buffer to the drive through along the southern portion of the building and the Palmyra Avenue frontage which enhances the site and area.

Design Reviews:

A commercial center consisting of two buildings; one with retail spaces and a restaurant with drive-through and an office building.

Justification:

The proposed commercial center use is a community serving use with customers drawn from the immediate area. This use is an infill project on a site which is the only remaining undeveloped parcel in the half mile segment of the street frontage and the immediate area and fulfills the growth management requirements by developing on this site and maximizing the capacities of existing infrastructure and services. The proposed project conforms to the goals and policies outlined in the Master Plan such as Countywide policy 1.5.2 and policy SV-1-1 of the Spring Valley Planning area to protect neighborhood integrity with infill development that is compatible with adjacent development. Other specific goals and pertinent policies for commercial developments for the planning area include SV-1.5; SV-2.1, SV-2.2 and indicates that this request is compatible with existing uses in the area. Development of the site will also mitigate existing dust issues for the adjacent residential uses to the west. The development of the site will not require more than 36 inches of fill for the finish grade for either the site or buildings. The submitted cross section indicates that the finished grade is lower than the standard allowed by Code.

We appreciate your review of this application and look forward to your comments to proceed with the future application process for the project.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene

Land Use and Development Consultant

PLANNER
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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

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 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the north side of 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

08/16/23 BCC AGENDA SHEET

9

MINI-WAREHOUSE
(TITLE 30)

JONES BLVD/TECO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0402-JONES SUNSET, LLC:

ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (AE-60) Zone to a C-1 (Local Business) Zone (AE-60) Zone.

USE PERMIT for off-highway vehicle, recreational vehicle, and watercraft storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building facade length; 2) roofline variations; 3) increased wall height; and 4) landscaping.

DESIGN REVIEW for an off-highway vehicle, recreational vehicle, and watercraft storage facility in conjunction with an approved mini-warehouse facility in the CMA Design Overlay District.

Generally located on the south side of Teco Avenue, 600 feet east of Jones Boulevard within Spring Valley (description on file). MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-401-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit building facades up to 284 feet in length where a maximum of 100 feet is the standard per Section 30.48.650 (a 184% increase).
2. Waive requirements for roofline variations for rooflines longer than 100 feet where required per section 30.48.650.
3. Permit screen walls up to 8 feet in height where 6 feet is the maximum allowed per Section 30.64.020 (a 33.3% increase).
4.
 - a. Waive landscaping along the east property line adjacent to a less intense use where landscaping is required per Table 30.64-2 and Figure 30.64-11.
 - b. Permit alternative landscaping with an attached sidewalk along a street where landscaping with a detached sidewalk is required per Section 30.64.030 and Figure 30.64-17.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Expansion of an approved mini-warehouse facility with off-highway vehicle, recreational vehicle and watercraft storage
- Number of Stories: 1
- Building Height (feet): 27
- Square Feet: 47,077
- Parking Required/Provided: 5/5

History

In March 2021 the Board of County Commissioners (BCC) approved NZC-20-0600 to reclassify this site to a C-2 zone with a use permit to allow off-highway vehicle, recreational vehicle, and watercraft storage facility in conjunction with an approved mini-warehouse facility on the adjacent parcel to the west. The plans approved for NZC-20-0600 depicted the off-highway vehicle, recreational vehicle, and watercraft being stored under shade canopies throughout the site, there were no enclosed structures approved under that nonconforming zone change. The applicant redesigned the facility to include garage structures for the indoor storage of off-highway vehicle, recreational vehicle, and watercraft. It has been determined that the proposed changes are a significant change to the project by a nonconforming zone change application; therefore for the applicant is required to seek reapproval of the project with a new zone change application. When NZC-20-0600 was approved the land use plan at that time designated the site for Office Professional development which would allow a zone change to the CRT or C-P zoning districts, which did not allow the proposed uses and required the nonconforming zone change application. Since then, a new Master Plan has been adopted which now designates the site as Neighborhood Commercial, which allows a zone change to a C-1 zone which allows for the proposed use making this a conforming zone change.

Site Plan

The request is to use this parcel as a site for off-highway vehicle, recreational vehicle, and watercraft storage. The parcels to the west were approved for a mini-warehouse facility with off-highway vehicle, recreational vehicle, and watercraft storage. This request is an expansion of the approved development to the west. The plan depicts 4 buildings that will be divided into garage units for the storage of off-highway vehicle, recreational vehicle, and watercraft. Access to the site will be provided through the mini-warehouse facility to the west currently under development, there will be no access from this site to Teco Avenue. The storage spaces will be covered by canopies that are 17 feet in height with a flat roof. The plans show a 9 foot high split-face masonry wall located along the south and east property lines and set back 10 feet from the north property line to provide a landscape area along Teco Avenue.

Landscaping

There is a 10 foot wide landscape area with an attached sidewalk adjacent to Teco Avenue, which consists of trees, shrubs, and groundcover. This landscape area will match the landscape area along Teco Avenue that was approved for the mini-warehouse project under development

on the adjacent parcels to the west; and is similar to the landscape area provided for the congregate care facility on the adjacent parcel to the east. The application includes a request to waive the requirement for landscaping along the east property line to a less intense use, a congregate care facility. The east property line of this site is adjacent to a parking lot and undeveloped portion of the congregate care facility.

Elevations

The buildings are all 1 story with a maximum height of approximately 28 feet. The buildings all have flat roofs behind parapet walls. The buildings are constructed of concrete block with a metal parapet cap. The plans do not show any variation in the roof line or architectural enhancements to the exterior of the buildings. The plans show 3 of the buildings have facades that are from 140 feet to 384 feet in length. The building will have a natural color scheme.

Floor Plans

The plan depicts 4 buildings with a total building area of 47,077 square feet with the building ranging in area between 3,635 square feet and 22,176 square feet. The 4 buildings can be divided into a total of 53 garage units for off-highway vehicle, recreational vehicle, and watercraft storage. Some of the garage spaces can be combined to create larger storage spaces, which would reduce the total number of storage units for lease.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant in

The applicant indicates that the proposed use is an expansion of an approved development on the adjacent parcels to the west. The proposed facility is a compatible use with the existing and planned land uses in this area and will be an asset to residential developments in the area by providing a service for needed storage.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0643	Vacate and abandon easements	Approved by PC	January 2023
NZC-20-0600	Reclassified the site to a C-2 zone for an off-highway vehicle, recreational vehicle, and watercraft storage facility in conjunction with an approved mini-warehouse facility	Approved by BCC	March 2021

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Ranch Estates Neighborhood (up to 2 du/ac)	R-E (PNP-I)	Single family residential
South	Neighborhood Commercial	C-P	Office building
East	Neighborhood Commercial	C-P	Congregate care facility

Surrounding Land Use

	<u>Planned land Use Category</u>	<u>Zoning District</u>	<u>Existing Land Use</u>
West	Corridor Mixed-Use	C-2	Mini-warehouse facility under development

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The proposed zoning is in conformance with the Master Plan. This site was reclassified to a C-2 zone by a nonconforming zone change for the outside storage of off-highway vehicle, recreational vehicle, and watercraft storage. The C-1 zoning district is a less intense district than the C-2 zoning district. The C-2 zoning district and proposed use of the property for off-highway vehicle, recreational vehicle, and watercraft storage was found to be appropriate for the area. Staff finds that reclassifying the site to a C-1 zone, which is less intense than the C-2 zone previously approved for the site is appropriate and supports the zone change.

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.

This request is an expansion of the mini-warehouse project currently under development on the adjacent property to the west. That project was approved to have the storage of boats and RV's because the use was found to be appropriate for that location. This site will be accessed from the development to the west. The boat and RV storage on this parcel is located within enclosed structures blocking their view from the abutting developments. Therefore, as an expansion of the project to the west, staff finds the proposed use of the site is appropriate for this location and will not have an adverse effect on adjacent properties.

Waivers of Development Standards

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

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

The requirements to limit the length of facades and require variations in the rooflines is to break up the surfaces of building to limit massing of buildings. Variations in rooflines and shorter facades can give projects greater curb appeal. The design of the buildings are large boxes with

little to no architectural enhancement. Staff could support the request to increase the length of the building facades if enhancements were added to the design such as but not limited to variations in the roofline, pop-out and recesses to the building elevations to break up the surfaces, and variations in building materials. However, with out variations in the rooflines or some type of architectural enhancements staff cannot support these waivers or the design review.

Waiver of Development Standards #3

This request is to increase wall height along the south and east property lines from 6 feet to 8 feet. The applicant indicates they have met with neighboring property owners, who have requested the increase in wall height to provide additional buffering with a higher wall. The proposed wall can provide additional security for the facility and a higher wall would also provide additional screening for the project. Staff finds the proposed increase in wall height will have minimal impact on the abutting developments and does not object to this waiver.

Waiver of Development Standards #4a

The applicant is requesting to waive the requirement for landscaping along the east property line adjacent to a less intense use, a congregate care facility. The east property line of this site is adjacent to a parking lot and undeveloped portion of the congregate care facility site. The plans depict a decorative block wall to be provided along the east property line of the site and there is existing landscaping that has been installed by the congregate care facility along this common property line. Therefore, staff does not object to this waiver.

Waiver of Development Standards #4b

Current Code standards call for a minimum 15 foot wide landscape area along Teco Avenue with a detached sidewalk. The landscape area proposed by the applicant depicts a 10 foot wide area adjacent to an attached sidewalk within the street right-of-way. This proposed landscape area matches the approved landscape area for the adjacent mini-warehouse facility to the west, which was approved prior to the current Code standards. Additionally, the proposed landscape area is similar to the landscape area with an attached sidewalk provided with the congregate care facility on the adjacent parcel to the east, which was also approved and developed prior to the current Code standards. Staff finds the landscape area proposed by the applicant is consistent and compatible with the existing adjacent developments and will provide a uniform streetscape along Teco Avenue. Therefore, staff can support this waiver request.

Department of Aviation

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

Staff Recommendation

Approval of the zone change, use permit, waivers of development standards #3, #4a and #4b; denial of waivers of development standards #1 and #2 and the design review.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge NZC-20-0600;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

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

determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- 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.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VENTURA ENTERPRISES INVESTMENTS AND DEVELOPMENT

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

9

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) <u>1,050^{sq}</u> <input checked="" type="checkbox"/> USE PERMIT (UC) <u>5675^{sq}</u> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>5475^{sq}</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>5675^{sq}</u> <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>ZC-23-0402</u> DATE FILED: <u>7-3-2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-8-2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8-16-2023</u> FEE: <u>\$ 2875^{sq}</u>
	PROPERTY OWNER NAME: <u>Jones Sunset, LLC</u> ADDRESS: <u>5528 S. Fort Apache Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>sandrov.veras@gmail.com</u>
	APPLICANT NAME: <u>Ventura Enterprises Investments and Development</u> ADDRESS: <u>5528 S. Fort Apache Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-457-7676 x 14</u> CELL: <u>702-250-2377</u> E-MAIL: <u>sandrov.veras@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Liz Olson - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-015

PROPERTY ADDRESS and/or CROSS STREETS: Teco Avenue and Jones Boulevard

PROJECT DESCRIPTION: Administrative Design Review for RV Storage

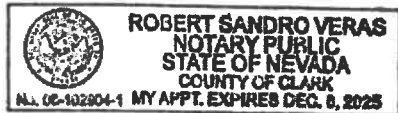
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Samuel Ventura
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 9, 2023 (DATE)
 By Samuel Ventura

NOTARY PUBLIC: Robert J. Veras



*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

ELISABETH E. OLSON
eolson@kcnvlaw.com

June 22, 2023

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

20-23-0402

**Re: *Justification Letter – Zone Change, Special Use Permit, Design Review and Waiver
Jones and Teco
APN: 163-36-401-015***

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 2.29 acres near the corner of Jones Boulevard and Teco Avenue (the "Site"). The Property is more particularly described as Assessor's Parcel Number 163-36-401-015. The Site was previously approved for an RV storage facility via application NZC-20-0600. The Applicant now wishes to make minor changes to the prior approval, and is therefore submitting a new zone change, special use permit, design review and waiver. The requested zone change, special use permit and waiver were previously approved and currently active on the Site.

The Applicant is requesting to revise the project to have internal RV storage rather than the previously approved outside storage with covered parking. The revision also significantly reduces the total number of available parking/storage spaces, providing a less intense use to the neighboring residential development. The prior application approved a total of 106 spaces. The current request provides a total of only 51 internal parking spaces.

The overall layout remains the same, including access from Jones Boulevard only, with a crash gate provided along Teco Avenue. The 51 spaces are dispersed between 4 single-story buildings. The maximum height of each building will be 26-feet 8-inches, significantly lower than what is permitted within C-1. The buildings would be comprised of painted concrete, decorative metal panels, and large decorative windows. The request change from outside storage to inside storage will enhance the visual appeal of the project.

The Applicant held a neighborhood meeting via Zoom on January 5th, 2023. Tiffany Hesser with Commissioner Naft's office also attended the meeting. No neighbors logged into the meeting and we have not received any additional inquiries to the mailed notices.

Zone Change

The Property is currently zoned C-2 under a resolution of intent via the prior application, and planned Neighborhood Commercial (NC). However, due to the changes, the Applicant is

requesting a new zone change to C-1. Directly adjacent to the west is previously approved a mini-storage facility (UC-20-0461), in which the RV storage is in conjunction with.

The Property is surrounded by C-2 property to the west, C-P property to the south and east, and R-E homes to the north across Teco Ave. Because the Property is surrounded on three sides with office and commercially zoned property, it is unlikely it will develop out as half-acre single family residential lots. Therefore, the request to rezone the Property to match the property to the west and incorporate the parcel into the pending mini-storage application is an appropriate request while still providing a quiet use adjacent to the single-family homes to the north.

The Applicant has specifically designed the site to ensure no access along Teco Avenue to limit traffic noise for the neighbors. Additionally, at the neighborhood meeting for the approved mini-storage facility, the neighbors expressed they were happy with the requested use as opposed to what was previously approved on the site – a four story hotel. The mini-storage, along with the requested RV and boat storage is a far less intense use adjacent to the neighbors and is more appropriate for the area.

The proposed RV and boat storage use is of similar intensity to the existing office directly south of the Property and the existing medical offices directly east of the Property. Should the pending mini-storage application be approved, the added RV and boat storage will seamlessly tack onto the project.

The proposed zone change to C-1 will not negatively impact the surrounding infrastructure in the area. This Property is located off Jones Boulevard, which is designed to handle higher volumes of traffic, and the Applicant is not providing access onto Teco Ave. Additionally, as the Site was previously approved for C-2, the requested C-1 zoning is less intense and therefore less impactful under the Code. The Applicant will further mitigate any impacts the proposed development may have and technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process.

Special Use Permit and Design Review for RV and Boat Storage

RV and boat storage is permitted within C-1 zoned districts upon the approval of a special use permit. As noted above, the requested use would be utilized as additional RV and boat storage to the mini-storage adjacent to the west. The Applicant has carefully considered the layout, access points and hours of operation of the facility as a whole to ensure it is compatible with the surrounding area. The hours of operation for the office will be from 8am to 6pm, with additional access to unit/storage customers until 9pm. The facility will be gated, and therefore, only customers with paid units/storage access codes will be permitted to access the facility between 6pm and 9pm.

Waivers for Required Landscaping

The Applicant is requesting a waiver of the landscaping along the eastern property line adjacent to the existing congregate care facility per Figure 30.64-11. There are several reasons we believe

this request is reasonable. First, the congregate care facility has the required intense landscape buffer along their western property line, which will provide sufficient buffering from the proposed RV and boat storage. Second, the northern third of the congregate care facility site is undeveloped dirt, and therefore, not impacted. Third, there are two drive aisles and two rows of parking between the property line of the proposed storage use and the actual congregate care building, providing additional buffering. Fourth, the existing office building to the south does not have a landscape buffer along its eastern property line. Finally, the Applicant is providing a 9-foot wall along the eastern property line to provide adequate buffering from the congregate care facility. Therefore, we respectfully request consideration and approve of the single waiver request.

The Applicant is also requesting a waiver to reduce the required landscaping to 10-feet where 15-feet is required and the detached sidewalk along Teco Avenue per Figure 30.64-17. Since the original approval, the landscape and sidewalk requirements along Teco Avenue have changed and construction of the landscaped area has already commenced based on the prior approval. The requested landscaping shown on the plans will match the landscaping provided directly west as part of the mini-storage project. Therefore, the request is harmonious and compatible with the existing uses in the area.

The Applicant is also requesting to provide an 8-foot wall along the south and east property lines where 6 feet is the maximum permitted. This request is being made based on prior meetings with the neighbors for a request to provide additional buffering with the taller wall.

Finally, the Applicant is also requesting a waiver to allow building facades greater than 100 horizontal feet in length where not permitted per Section 30.48.650. The buildings will be only a few feet taller than the originally approved RV ports approved with the original application and significantly lower than the maximum height permitted in both C-1 and C-2. The overall design will not impact the adjacent neighbors in any way.

Please note, Planning staff, Public Works staff, Planning Commission and the Board of County Commissioners approved the prior application for this same use without the buildings with the original NZC request. The addition of the buildings will provide more buffering for the neighbors and less impact to the neighborhood by reducing the number of RV parking spaces. Therefore, we respectfully request a recommendation of approval for the revisions.

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

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

EEO/bkf

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09/05/23 PC AGENDA SHEET

CONCESSION & RESTROOM BUILDING
(TITLE 30)

MOHAWK ST/ELDORA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0388-COUNTY OF CLARK (PK & COMM SERV):

DESIGN REVIEW for reconstruction of a concession/restroom building in conjunction with an existing park on 3.7 acres in a P-F (Public Facility) Zone.

Generally located on the east side of Mohawk Street and the south side of Eldora Avenue within Spring Valley (description on file). RM/rk/syp (For possible action)

RELATED INFORMATION:

APN:

163-12-602-001

LAND USE PLAN:

SPRING VALLEY - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2750 Mohawk Street
- Site Acreage: 3.7
- Project Type: Reconstruction of a concession/restroom building
- Building Height (feet): 15
- Square Feet: 1,600

Site Plan

The plan depicts an existing park (Potosi Park) with two baseball fields and other recreational amenities. The scope of this request is to remove an existing storage building and restroom and construct a new concession and restroom building located near the west portion of the site. There is a driveway/access point for maintenance from Mohawk Street. All other portions of the park will remain unchanged.

Elevations

The building is 15 feet in height and constructed of decorative smooth face CMU walls and a standing seam metal roof.

Floor Plan

The floor plan depicts a concession area, restrooms, and 2 storage rooms totaling 1,600 square feet.

Applicant's Justification

The applicant indicates they are updating the existing amenities for the park. The new amenities are consistent in function and design to existing facilities on-site and will have minimal impact on the adjacent properties.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0084-00	Reclassified this site from R-E zoning to P-F zoning for an existing park.	Approved by BCC	February 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
West	Public Use	P-F	Elementary school

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Goals of the Master Plan encourage the development of parks and recreational facilities that meet the needs of the residents. The proposed amenities to the park will be compatible with the existing facilities on-site and not negatively affect the surrounding area; 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0015-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: COUNTY OF CLARK (PK & COMM SERV)

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

09/05/23 PC AGENDA SHEET

RECREATIONAL FACILITY
(TITLE 30)

DESERT INN RD/WEST WIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0018-LAS VEGAS SPORTS CORPORATION ETAL & ROLLINGSTONE INC:

USE PERMIT private recreational facility (table tennis club).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; and 2) reduce commercial driveway approach distance.

DESIGN REVIEW for a proposed private recreational facility within the Desert Inn Road Transition Corridor.

Generally located on the south side of Desert Inn Road and the west side of Westwind Road within Spring Valley (description on file). JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

163-13-104-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow attached sidewalks along a local street (Westwind Road) where a detached sidewalk and landscaping per Figure 30.64-17 is required.
2. Reduce commercial driveway approach distances to 72 feet where 150 feet is the standard per Unifor Standard Drawing 222.1 (a 52% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5825 Desert Inn Road
- Site Acreage: 1.5
- Project Type: Private recreational facility
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 4,960
- Parking Required/Provided: 20/21

Site Plans

The site had been developed as a single family residence that was demolished in 2019 and is now vacant. The request is to develop the site as a recreational facility for a table tennis club. The parcel is shaped like a backward "L", with frontage along Desert Inn Road to the north and Westwind Road to the east. The site is in the Desert Inn Road Transition Corridor, which prohibits access to Westwind Road for any nonresidential development; therefore, the only access to the site is from Desert Inn Road. The proposed building is located on the southwestern portion of the site, set back 20 feet from the west property line and 35 feet from the south property line. A 40 foot wide driveway and aisle will extend from the entrance on Desert Inn Road to the building, which includes right-turn only signage and pavement marking. An approximate 26 foot to 30 foot wide drive aisle is located east of the building. The plans show 9 parking spaces to the east of the building, with the remainder of the parking located along the east side of the main drive aisle. The trash enclosure is located at the south end of the northerly parking area, 95 feet from the south property line. The eastern approximately 40 feet of the site will be undeveloped at this time.

Landscaping

The plan depicts existing 6 foot high walls along the south and west property lines adjacent to existing residences, with a proposed 6 foot high decorative block wall located along the north and west property lines adjacent to APN 163-13-104-005. Large Evergreen trees are planted 15 feet on center along the south property line, with 2 off-set rows of large Evergreen trees planted 10 feet on center along the west property line as required by the Desert Inn Road Transition Corridor Overlay standards (Section 30.48.480(6)). The plan depicts a minimum 15 foot wide landscape area adjacent to Desert Inn Road and Westwind Road consisting of trees, shrubs, and ground cover. An existing attached sidewalk is along Desert Inn Road, and a proposed attached sidewalk is located along Westwind Road. Parking lot landscaping is provided per the standards of Figure 30.64-14, consisting of trees, shrubs, and groundcover, with a row of hedges provided between the parking area and the street frontages.

Elevations

The plan depicts a 1 story building with an overall height of 14 feet. The building has a pitched concrete flat tile roof. The exterior of the building has a stucco finish painted in earth tone colors with stone veneer at the main entrance and pop-out details around windows. The plan shows no openings on the west or east sides of the building, with 2 doors on the north (front) and south (rear) sides of the building, and the main entrance at the northeast corner of the building.

Floor Plans

The building has an area of 4,960 square feet. The plan indicates that most of the building will be an open area consisting of 6 tables for table tennis. The remainder of the building includes restrooms, a breakroom, and entry area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the request is in conformance with the standards of the Desert Inn Road Transition Corridor. Table Tennis is an activity suited for all demographics and will provide a healthy recreational activity for the community, and there are no similar establishments in the vicinity. The use will not have a negative impact on the abutting properties. The waiver to reduce the driveway approach distance is necessary due to the limited street frontage along Desert Inn Road, and there is not enough room on the site to comply with the required approach distance. The building is designed to resemble the scale and architectural character of the neighborhood.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1248-03	Reclassify 1.6 acres to CRT zone to convert a single family residence into and office and office center - expired	Approved by BCC	October 2003

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-23-0019	A request to vacate and abandon patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

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

The abutting properties to the east, south, and west are all developed as single family residences on half acre minimum lots. Except at the corners of the arterial streets and 2 converted residences

on the north side of Desert Inn Road, the developed property along Desert Inn Road from Jones Boulevard to Decatur Boulevard is residential development (there are a few undeveloped parcels). Staff finds the site does not meet the intent of the Desert Inn Road Transition Corridor to allow for nonresidential development along Desert Inn Road. The proposed recreational facility would be out of harmony with the existing development abutting this site. Therefore, staff finds the proposed use is not appropriate at this location, could have an adverse effect on adjacent properties, and recommends denial of this request.

Waiver of Development Standards

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

Detached sidewalks are a required standard to remove pedestrians from the lanes of travel. Additionally, providing trees on both sides of a detached sidewalk provides shade to the sidewalk area during multiple times of the day, and would provide an added visual relief for the proposed use. Staff is unable to support the design request and recommends denial of the proposed waivers.

Design Review

The proposed building is one story with a flat roof behind parapet walls. The Transition Corridor Overlay requires building facades to conform to the general and/or predominant residential architecture of the surrounding area. Existing residences in this area consist mainly of pitched roofs with concrete tile roofing material, recesses, pop outs, arches, and other architectural enhancements. Although the proposed building provides for some of these features, overall the elevations are stark with no architectural articulation, including those facing the residential development. Due to the size of the parcel, the proposed building could be relocated to the northeasterly portion of the site to provide greater relief from the proposed development on the surrounding neighboring properties. Staff finds that the design of the site is inappropriate due to the reasons stated and is unable to support the proposed requests.

Public Works - Development Review

Staff has no objection to the reduction in the approach distance on Desert Inn Road. The applicant has placed the driveway as far west as possible. 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:

- 1 year from issuance of the certificate of occupancy to review;
- Provide decorative enhancements on the elevations as approved by staff;
- 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Reconstruct any unused driveways with full off-site improvements.

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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 163-13-104-006; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the system has been properly removed.

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 #0345-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RICHIE WU

CONTACT: RICHIE WU, 370 MANO DESTRA LN, HENDERSON, NV 89011

DRAFT

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09/05/23 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

DESERT INN RD/WESTWIND ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0019-LAS VEGAS SPORTS CORPORATION ETAL & ROLLINGSTONE INC:

VACATE AND ABANDON easements of interest to Clark County located between Desert Inn Road and Pioneer Avenue, and between Westwind Road and Duneville Street within Spring Valley (description on file). JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:
163-13-104-006

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

BACKGROUND:

Project Description

The plan depicts the vacation and abandonment of 33 feet and 3 foot wide patent easements along the east, south and west property lines. The applicant is proposing to develop the site as a private recreational facility (table tennis club).

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1248-03	Reclassify 1.6 acres to CRT zone to convert a single family residence into and office and office center-expired	Approved by BCC	October 2003

Surrounding Land Use

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

Related Applications

Application Number	Request
UC-23-0018	Use Permit for a private recreational facility is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

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

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.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: RICHIE WU

CONTACT: RICHIE WU, 370 MANO DESTRA LN, HENDERSON, NV 89011

DRAFT



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

12

Application Number: VS-23-0019

Property Owner or Subdivision Name: LAS VEGAS SPORTS CORPORATION

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** _____ **PC** _____ **BCC** _____

Add this application to the: **TAB/CAC** 8/8/2023 **PC** 9/5/2023 **BCC** _____

Change(s) to be made:

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

Reason for Change: PREVIOUSLY HELD NO DATE. PLEASE ADD BACK TO AN AGENDA AS A COMPANION TO UC-23-0018. ITEM NO TO GO TO PC.

Change initiated by: LMN Date: 6/28/2023

Change authorized by: JAD Date: 6/28/2023

Change processed by: ds Date: 7/3/2023

Follow up assigned to: LMN/AGENDA PROCESSING Instructions: COMPLETE REPORT.

Parcel Number(s): 163-13-104-006

Town Board(s): SPRING VALLEY

09/05/23 PC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION TROPICANA AVE/GRAND CANYON DR
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0230-WPI-GRAND TROP LLC & UAP-GRAND TROP LLC:

USE PERMITS for the following: 1) reduce separation from a gas station to residential use; 2) reduce separation from a convenience store to residential use; and 3) reduce separation from outside dining to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS to allow modified driveway standards.

DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station; 3) finished grade; and 4) lighting plan on 1.7 acres in a C-2 (General Commercial) Zone.

Generally located on the southeast corner of Tropicana Avenue and Grand Canyon Drive within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

163-30-518-002

USE PERMITS:

1. Reduce the separation from a convenience store to a residential use to 67 feet where 200 feet is required per Table 30.44-1 (a 67% decrease).
2. Reduce the separation from a gasoline station to a residential use to 64 feet where 200 feet is required per Table 30.44-1 (a 68% decrease).
3.
 - a. Permit outside dining in conjunction with a convenience store where outside dining is permitted in conjunction with a supper club, tourist club, mixed use development, or restaurant.
 - b. Reduce the separation for outside dining to 53 feet where 200 feet is required per Table 30.44-1 (a 74% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce driveway departure distance from the intersection to 175 feet where 190 feet is required per Uniform Standard Drawing 222.1 (an 8% decrease).
 - b. Reduce throat depth for Grand Canyon Drive access to 15 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 40% decrease).
 - c. Reduce throat depth for Tropicana Avenue access to 5 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 80% decrease).

DESIGN REVIEWS:

1. Convenience store

2. Gasoline station.
3. Increase finished grade to 4 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 33% increase).
4. Lighting plan.

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Convenience store with gasoline station
- Number of Stories: 1
- Building Height (feet): 29 convenience store/ 21 gas canopy
- Square Feet: 5,200 convenience store/3,936 gas canopy
- Parking Required/Provided: 21/34

Site Plan

The site plan depicts a 5,200 square foot convenience store building with a 500 square foot outside dining area, and a 3,936 square foot fuel canopy with 6 fuel islands. Access is located along Tropicana Avenue on the northeast corner of the property, which requires a waiver for departure distance from the intersection at Grand Canyon Drive, and at the southwest corner of the property at Grand Canyon Drive. The on-site traffic circulation is by way of drive aisles that are a minimum of 29 feet in width and circle the gas canopy and convenience store. The convenience store is located 70 feet from the east property line and 67 feet from the southern property line, both of which are adjacent to an approved multiple family residential development. A small 500 square foot outside dining area is located on the east side of the convenience store building, approximately 53 feet from the east property line residential property, and 71 feet from the residential property to the south. The gas canopy is 50 feet from Grand Canyon Drive and 60 feet from Tropicana Avenue, 64 feet from the east property line and 131 feet from the south property line. Trash enclosures and loading zones are provided on the west side of the building, more than 50 feet from the residential property line.

Landscaping

The landscape plan depicts existing attached sidewalks remaining along Grand Canyon Drive and Tropicana Avenue, with 15 feet of landscaping provided on the north and west sides of the property, behind the sidewalks. Landscaping adjacent to a less intense use per Figure 30.64-11 is provided along the east (5.5 foot wide) and south property (10 feet wide) lines. Trees are spaced at 20 feet and a 6 foot decorative wall will be built on the east and south property lines.

Elevations

The elevations depict a 29 foot high convenience store with dark bronzed anodized glass storefront with 2 doors on the north and 1 door on the east for pedestrian access. A service door

is located on the west side of the building to access the trash enclosures and loading zones. An aluminum awning covers the east side door and all 4 sides of the building have architectural design elements including overhangs, offset roof line, pitched roof elements, varying roof height, stone façade, and tile roof. The gas canopy is 21 feet high with a mansard style tile roof.

Floor Plans

The floor plan depicts a 2,880 square foot sales area, 665 square foot back room area, 643 square foot walk in cooler, gaming area, large restrooms, and small accessory prep area for food preparation. The total floor area is 5,200 square feet, plus the approximately 500 square foot outdoor seating area. The gas canopy is 3,936 square feet covering 6 pumps.

Signage

Signage is not a part of this application.

Lighting plans

The lighting plans depict light poles on the perimeter of the property that are down shielded to direct light onto this site. The applicant has provided a photovoltaic plan showing light intensity and no significant impact to the adjacent residential property. The applicant states that lighting will comply with Clark County lighting standards and not impact adjacent property. All lights within the building façade and fuel canopy are flush mounted to avoid light spillage.

Applicant's Justification

The applicant is proposing to develop a 5,200 square foot Circle K retail convenience store with 6 gasoline pump islands. Existing infrastructure will be demolished and replaced with new building, canopy, landscaping, and parking areas. The store will be operated 24 hours a day and 7 days a week. A lighting plan has been provided that shows no significant impacts to the surrounding property. This area will benefit from the additional gas station and convenience store use. Landscaping will buffer the property from the adjacent future residential uses, if built. Both access driveways are existing and located as far from the intersection as possible. The proposed development will bring a new and aesthetically pleasing facility to this area. The fueling facility is designed with state of the are containment and vapor recovery systems to ensure protection of the environment.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-05-400179 (WS-0821-02)	Extension of time for a commercial shopping center and waiver for landscaping	Approved by BCC	September 2005
VS-0664-03	Easements	Approved by PC	June 2003
WS-0821-02	Landscaping and design review for commercial shopping center	Approved by BCC	August 2002
TM-0221-02	Tentative Map	Approved by PC	July 2002
VS-0758-02	Patent easements	Approved by PC	July 2002

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0217-02	Reclassify from R-E to C-2	Approved by BCC	April 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-1	Commercial retail
South & East	Corridor Mixed-Use	R-5	Undeveloped, approved multiple-family development
West	Corridor Mixed-Use	C-2	Commercial retail

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

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

Use Permits #1 and #3.

The close proximity of Tropicana Avenue and Grand Canyon Drive added to this being a corner parcel, supports the convenience store location. The building is located in a central position on the lot and oriented towards Tropicana Avenue. The adjacent residential R-5 uses were approved but not yet constructed, with actual residential buildings 127 feet south of the convenience store, and 131 feet east of the convenience store. The facilities are a significant distance from residential buildings with buffers that meet landscaping standards. In addition the adjacent multiple-family development has a significant lower grade then this site. The outside dining area is a small seating area that intended for customers and pedestrians to use while on site. The traditional accessory food station inside the convenience store does not include a kitchen and no sit-down table service is provided. Additional landscaping is adjacent to the area to reduce negative impacts. The additional 11 parking spaces above required and accessible spaces, combined with available space, could be used for future electric charging. Clark County Master Plan Policy 3.2.4 encourages facilities for future expanded use of electric charging stations. Staff can support the use permit requests.

Use Permit #2

The close proximity of the gasoline station component of this development to the residential uses is not compatible with the neighborhood and does not comply with the Title 30 and the 200 foot separation requirement. The Clark County Master Plan Goal 3.1 and Policy 3.1.2 supports the protection of public health, including negative environmental impacts from a gasoline station in

close proximity to a gasoline station, through a variety of strategies including separation distances. Staff cannot support the use permit for a gasoline station at this location.

Waivers of Development Standards

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

Design Reviews #1, #3, and #4

This property was originally considered for a 15,475 square foot building and associated parking. The proposed use provides a smaller building footprint and increased landscaping beyond the original plan. Hardscape area will be smaller than the 2002 plan and is supported by Clark County Master Plan Policy 3.6.1 to reduce hardscape footprint areas. Signs will still require approval through building permit review and must meet all aspects of Title 30 with regard to sign regulations. The proposed freestanding sign is located approximately 140 feet from the nearest planned residential building and the property to the east is currently undeveloped. The potential for up to 4 feet of increased finished grade was added by staff as a result of the grading plan appearing to show an area just over 3 feet in depth. This request is precautionary for the development and may not be needed if the drainage plan doesn't require increases over 3 feet. The 15 foot wide landscape area adjacent to existing sidewalks provide more natural surface coverage than 2 divided 5 foot strips of landscaping, and is supported by Clark County Master Plan Policy 3.6.1 by reducing the hardscape footprint area. Staff can support the design reviews.

Design Review #2

As mentioned above, the close proximity of the gasoline station component of this development to the residential uses is not compatible with the neighborhood and does not comply with the 200 foot separation as required by Title 30. Staff does not support the use permit to reduce the separation to the approved residential use and does not support this design review.

Public Works - Development Review

Waiver of Development Standards #2a, #2b and #2c

Staff has no objection to the reduction in the throat depth for the Tropicana Avenue and Grand Canyon Drive commercial driveways. The driveway on Tropicana Avenue has a dedicated right turn lane that will help mitigate potential collisions. The applicant is providing additional landscaping adjacent to the driveways which act as a buffer.

Staff Recommendation

Approval of use permits #1 and #3, waivers of development standards, and design reviews #1, #3 and #4; denial of use permit #2 and design review #2.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-14002;
- Traffic study and compliance.

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 #0135-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CIRCLE K STORES, INC.

CONTACT: LAND DEVELOPMENT CONSULTANTS, LLC, 11811 N TATUM BLVD,
SUITE 1051, SUITE 1051, PHOENIX, AZ 85028

09/05/23 PC AGENDA SHEET

MAJOR TRAINING FACILITY
(TITLE 30)

RAINBOW BLVD/EDNA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0403-WEST COAST CLOSERS INC:

USE PERMIT to allow a major training facility (driving school) in conjunction with an existing office building on a portion of 2.9 acres in a C-P (Office and Professional) Zone.

Generally located on the west side of Rainbow Boulevard and the south side of Edna Avenue within Spring Valley. JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:
163-10-703-009 ptn

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description
General Summary

- Site Address: 2975 Rainbow Boulevard
- Site Acreage: 2.9 (portion)
- Project Type: Major training facility (driving school)
- Number of Stories: 1
- Building Height (feet): 34.5
- Square Feet: 2,060
- Parking Required/Provided: 118/118

Site Plans

The plans depict a proposed major training facility (driving school) in a 2,060 square foot suite within an existing office building. The building is located on the southwest portion of the site. The suite is located on the northeast portion of the existing courtyard. Access to the site is from Rainbow Boulevard. The site shows adequate parking located on the north and west sides of the existing building.

Landscaping

There are no required or proposed changes to the existing landscaping.

Elevations

The plans of the existing building depict a single story building constructed of stucco, with concrete tile roof and store front doors and windows. No changes are proposed with this application.

Floor Plans

The lease space is 2,060 square feet and consists of 2 classrooms. The classrooms are 132 square feet and 543.5 square feet for a total of 675.5 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed driving school will operate with 25 students to 30 students in each classroom as well as offer on-line classes with Nevada Department of Motor Vehicles services for students. The school will operate from 9:00 a.m. to 5:00 p.m.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0240-13	Beauty school - expired	Approved by PC	June 2013
UC-0013-09	Minor training facility - expired	Approved by PC	February 2009
UC-1767-02	Real estate school - expired	Approved by PC	January 2002
AC-249-88	Design review for the subject building and parking lot to the west	Approved by PC	January 1989
ZC-0383-88	Reclassified the site to C-P zoning for a parking lot in conjunction with an office complex	Approved by BCC	January 1989
ZC-0159-88	Reclassified this site, as well as the site to the north, to C-P zoning for an office complex	Approved by BCC	June 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	CRT	Daycare & office uses
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Neighborhood Commercial	C-P	Office complexes

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 finds that Policy SV-1.5 of the Master Plan encourages, in part, the neighborhood-oriented retail, office, and commercial services that allow residents to meet their daily needs and that potentially work within proximity of their homes. The use is not permitted by right in a C-P zoning district and is only permitted subject to consideration of a use permit. Staff's primary concern with these types of uses are to ensure compatibility with existing surrounding uses and that there is adequate on-site parking. A major training facility is appropriate at this location as it will not be more intense than the current office uses on the property and is compatible with the surrounding area; 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: NEXSAN LLC
CONTACT: NEXSAN LLC, 2975 S. RAINBOW BLVD, SUITE B, LAS VEGAS, NV 89146

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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<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 (ZO)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZO)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input 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><u>(ORIGINAL APPLICATION #)</u></p> <p><input type="checkbox"/> ANNEXATION REQUEST (AR)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p><u>(ORIGINAL APPLICATION #)</u></p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p><u>(ORIGINAL APPLICATION #)</u></p>	STAFF	<p>APP. NUMBER: <u>UC-23-0403</u> DATE FILED: <u>7/3/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAG: <u>Spring valley</u> TAB/CAG DATE: <u>8/8/23</u></p> <p>PC MEETING DATE: <u>9/5/23</u> 6:00PM</p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$675</u></p>
	PROPERTY OWNER	<p>NAME: <u>West Coast Closers Inc.</u> AS</p> <p>ADDRESS: <u>2975 S. Rainbow Blvd. Ste. 10</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>(702) 478-2247</u> CELL: <u>0</u></p> <p>E-MAIL: <u>PM@IRASVEGAS.COM</u></p>
	APPLICANT	<p>NAME: <u>Nexsan LLC.</u></p> <p>ADDRESS: <u>2975 S Rainbow Blvd Suite B</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: _____ CELL: <u>702-715-8912</u></p> <p>E-MAIL: <u>Y121420974@Comcast.net</u> REF CONTACT ID #: _____</p>
	CONTRACTOR	<p>NAME: <u>Same as applicant</u></p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-10-703-009

PROPERTY ADDRESS and/or CROSS STREETS: 2975 S Rainbow Blvd Suite B

PROJECT DESCRIPTION: Training facility major

(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.

Brandy White Elk ABO - owner as property manager.

Property Owner (Signature) Property Owner (Print)

STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 4/19/23 (DATE)

By Brandy White Elk

NOTARY PUBLIC: Kristin Cimella

KIRSTIN N. CIMELLA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-02-25
Certificate No: 15-0300-1

*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.

**FAVOR DRIVING SCHOOL
(Title 30.44)**

PUBLIC HEARING

RAINBOW BLVD/COLEY AVE

NUMBER/OWNER/DESCRIPTION OF REQUEST

APR-23-100165, Jinrong Liang

Apply using special PERMIT for Favor Driving School to advance into major training facility in conjunction with an existing office complex on 3.0 acres in C-P

Generally located on the west side of Rainbow Boulevard approximately 150 feet north of Coley Avenue. Our operating hours are from 9:00 in the morning to 5:00 in the evening.

RELATED INFORMATION

APN: 16310703009

BACKGROUND:

Project description: The plan show an existing office complex with the applicant is requesting to operate their school. The lease space totals 2,060 square feet. The size of the school is made up of 40 to 50 students. Including two classrooms of 132 square feet and 543.5 square feet, with the total of 675.5 square feet. There will be day and evening classes offered, also offering DMV services for students. The average class size would be 25 to 30 students, also providing online classes. An adequate number of parking spaces exist at this location.

SURROUNDING ZONING AND LAND USE:

The properties to the north and east of this site are developed and zoned C-P. The properties to the south and west of this site are developed and zoned C-P.

**PLANNED
COPY**

09/05/23 PC AGENDA SHEET

SPORTING GOODS (FIREARMS)
(TITLE 30)

JONES BLVD/SAHARA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0425-MH REVOCABLE LIVING TRUST:

USE PERMIT for sporting goods (firearms) sales within an existing commercial center on 0.7 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Jones Boulevard, 240 feet south of Sahara Avenue within Spring Valley. JJ/tpd/syp (For possible action)

RELATED INFORMATION:

APN:
163-11-504-006; 163-11-504-007

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2555 S. Jones Boulevard, Suite 110
- Site Acreage: 0.7
- Project Type: Sporting goods (firearms) sales
- Number of Stories: 1
- Square Feet: 6,900 (entire building)/1,540 (lease space)
- Parking Required/Provided: 88/95

Site Plans

The site plans depict an existing commercial center located on the west side of Jones Boulevard, north of Laredo Street, and 240 feet south of Sahara Avenue. Plans depict an existing commercial building within an existing commercial center. There are additional commercial and office buildings to the west and north. Access to the site is provided via existing driveways along Jones Boulevard and via cross access from Sahara Avenue.

Parcel 163-11-504-006 is zoned C-1 and includes 1 rectangular shaped commercial building oriented north-south. The proposed sporting goods (firearms) sales will be within this building (Building F). Parcel 163-11-504-007 is zoned C-P, located to the south of the subject building and includes 1 rectangular office building oriented east-west. Parking analysis depicts there are 95 parking spaces within the site where 88 parking spaces are required.

Landscaping

All street and site landscaping exists, and no changes are proposed or required with this request.

Elevations

The photo depicts an existing building with stucco exterior walls in earth tone colors with a shingled parapet roof. There are no changes proposed to the exterior of the building.

Floor Plans

The plans depict a lease space with an overall area of 1,540 square feet to be designed to accommodate sales, staff areas, and storage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they have chosen this location to sell firearms because of its proximity to major roadways. The site is close to major neighborhoods and has the potential to attract many customers. The business is intended to be open from 10:00 a.m. to 6:00 p.m. Monday through Saturday with approximately 3 employees working at this location. The applicant is proposing to sell accessory gear, optics, radar, and tuning parts.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0793-08	Allowed on-premises consumption of alcohol (service bar) in conjunction with a restaurant	Approved by PC	October 2008
UC-0489-99	Allowed a dance school in an existing commercial center	Approved by PC	May 1999
VC-0840-99	Allowed on-premises consumption of alcohol within an existing restaurant	Approved by PC	July 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Gasoline station
South	Corridor Mixed-Use	C-P	Commercial center
East	Corridor Mixed-Use	C-2	Vehicle sales establishment
West	Corridor Mixed-Use	C-1, C-2, & C-P	Shopping 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.

The applicant's proposed sporting goods (firearms) sales is located within an existing commercial center which offers a variety of existing commercial uses such as medical offices, restaurants, personal services, and retail sales. Staff finds that the proposed use is harmonious to the existing site, there is ample parking to accommodate potential customers, and does not anticipate any negative impacts on the surrounding area. The request promotes economic viability and employment opportunities; 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that 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: KP TACTICAL LLC
CONTACT: KP TACTICAL LLC, 2555 S. JONES BLVD, LAS VEGAS, NV 89146

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PLANNER COPY

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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 (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 23-0425</u> DATE FILED: <u>7/11/23</u> PLANNER ASSIGNED: _____ TABICAC: <u>SPRING VALLEY</u> TABICAC DATE: <u>8/8/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9/6/23</u> FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>Mei Fang Hom</u> ADDRESS: <u>2105 Forest View Ave.</u> CITY: <u>Hillsborough</u> STATE: <u>CA</u> ZIP: <u>94010</u> TELEPHONE: _____ CELL: <u>702-292-8865</u> E-MAIL: <u>mhom888@yahoo.com</u>
	APPLICANT NAME: <u>Kevin Perry</u> ADDRESS: <u>2555 S. Jones Blvd. Unit 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ CELL: <u>415-217-9102</u> E-MAIL: <u>kptacticalllc@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>SAME AS APPLICANT INFO</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-11-504-006 & 163-11-504-007

PROPERTY ADDRESS and/or CROSS STREETS: 2555 S. JONES BLVD UNIT 110

PROJECT DESCRIPTION: UC - SPORTING GOODS - FIREARMS

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

[Signature]
Property Owner (Signature)*

Mei Fang Hom
Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____

NOTARY PUBLIC: _____

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

See Acknow
5.
6/
G

UC-23-0425

JURAT

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 San Mateo

Subscribed and sworn to (or affirmed) before me on this 16th day of June

2023 by Mei-fang Hom

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

(Seal)



OPTIONAL INFORMATION

INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a Jurat stamp containing the correct wording or attaching a separate jurat form such as this one with does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

Additional Information

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ◊ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ◊ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.

ached
gement
1/23

UC-23-0425

Justification Letter

To whom it may concern,

I, Kevin Perry, the owner of KP Tactical LLC, intent to sell firearms and ammunition at 2555 S. Jones Blvd., Unit 110, Las Vegas, NV 89146. This location is 1,540 square feet. We are intent to sell accessory items such as gears, optics, radar, and tuning parts.

We are going to open 6 days a week, Monday to Saturday from 10am to 6pm. We will have 2-3 employees. We choose this location because it's in a well-established facility and at the corner of busy major cross-road intersections. Also, this location is near many major neighborhoods and surroundings, within 10 to 15 minutes drive. We are very hopeful it will attract many customers driving by.

We are requesting a special use permit for sporting goods-firearms.

Kevin Perry
Owner/Manager

PLANNER
COPY

09/05/23 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

GRAND CANYON DR/TROPICANA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0437-B-R OVATION LIMITED PARTNERSHIP:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height in conjunction with an approved multiple family development on 7.0 acres in an R-5 (Apartment Residential) Zone.

Generally located on the east side of Grand Canyon Drive and the south side of Tropicana Avenue within Spring Valley. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-30-501-002; 163-30-518-003

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of a combination retaining/screen wall to 12 feet (7 foot retaining wall with 5 foot screen wall) where a maximum height of 9 feet (3 foot retaining wall with 6 foot screen wall) is allowed per Section 30.64.050 (a 33% increase).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7
- Project Type: Wall height

History

The plans depict an approved nonconforming zone change to an R-5 zone for a 4 story multiple family development consisting of 174 units, which was approved via NZC-19-0886 by the Board of County Commissioners (BCC) in February 2020 for APN 163-30-501-002 (east 4.7 acres). The application was approved with a waiver for 8 foot walls along the south and east property lines. In addition, a nonconforming zone change (NZC-21-0423) was approved by the BCC in November 2021 to reclassify the southern 2.4 acres to an R-5 zone with a design review for the multiple family development for the overall 7 acres. This application is for an increase in the retaining wall height.

Site Plans

The plans depict multiple family buildings which are centrally located within the project site. Primary access to the east portion of the project site is granted via an approved driveway along Tropicana Avenue. A secondary point of access exists with crash gates. An existing 5 foot wide attached sidewalk is located adjacent to Grand Canyon Drive. The overall multiple family development, consisting of APN's 163-30-501-002 and 163-30-518-003, requires 448 parking spaces where 450 parking spaces are provided.

The applicant has now submitted another application to increase the retaining wall height for a 7 foot retaining wall with a 5 foot screen wall to allow for the site being lower than adjacent properties. A 7 foot retaining wall with a 5 foot screen wall is located along Grand Canyon Drive behind 6 feet of landscaping. Along a portion of the southern property line there is 1 foot of landscaping with a 7 foot retaining wall and will be 3 feet from the proposed 8 foot wall. The eastern property line is adjacent to a C-2 zoned property.

Landscaping

Landscaping is not a part of this application.

Elevations

The plans depict perimeter walls of up to 12 feet, being terraced and behind landscaping. The proposed walls have 28 inch square concrete caps and decorative split face concrete block walls.

Applicant's Justification

The applicant states they are requesting a waiver to increase the wall height (7 foot retaining wall, 5 foot screen wall) for a total of 12 feet high. The applicant states this is required because the site entrance is off Tropicana Avenue, which in this location is 24 feet lower than the southwest corner of the site. In order to meet ADA access requirements, they need to maintain a relatively flat site design which requires the proposed site to be 7 feet lower than the existing developments to the south.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-21-0423	Reclassified 2.4 acres from C-1 and C-2 to R-5 zoning; with waivers for increased wall height and building height; and design review for a multiple family residential development and site modifications to previously approved plans	Approved by BCC	November 2021
NZC-19-0886	Reclassified a portion of the project site to R-5 zoning for a multiple family residential development	Approved by BCC	February 2020
VS-19-0887	Vacated patent easements and right-of-way	Approved by BCC	February 2020

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0821-02 (ET-0179-05)	First extension of time for alternative landscape and screening requirements in conjunction with a shopping center - expired	Approved by BCC	September 2005
VS-0664-03	Vacated various easements	Approved by PC	June 2003
WS-0821-02	Alternative landscape and screening requirements in conjunction with a shopping center - expired	Approved by BCC	August 2002
VS-0758-02	Vacated patent easements - recorded	Approved by PC	July 2002
TM-0221-02	1 lot commercial subdivision	Approved by PC	July 2002
ZC-0217-02	Reclassified the project site to C-1 and C-2 zoning for a future commercial development	Approved by BCC	April 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2 & C-1	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Corridor Mixed-Use	R-5 & R-2	Undeveloped
West	Corridor Mixed-Use	C-1 & C-2	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.

Staff finds the proposed increase to the perimeter wall height will help to maintain historic drainage patterns to meet Clark County drainage criteria, and the fact the applicants property is lower in elevation than the adjacent properties necessitates an increase to the combined screen wall and retaining wall height. Staff finds the increased wall height should have minimal to no impact on the surrounding land uses and properties as the 7 foot retaining walls face towards the applicant's property and not towards the street or other adjacent properties; therefore, staff recommends approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: OVATION CONTRACTING, INC.

CONTACT: IMPULSE CIVIL ENGINEERING, 7485 W. AZURE DR, STE 226, LAS VEGAS, NV 89130



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

16

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-23-0437</u> DATE FILED: <u>6/12/23</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8/8/23</u></p> <p>PC MEETING DATE: <u>9/5/23</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$ 475</u></p>
	PROPERTY OWNER	<p>NAME: <u>Trop GC Apts, LLC</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road #100</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u></p>
	APPLICANT	<p>NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road #100</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u></p>
	CORRESPONDENT	<p>NAME: <u>Impulse Civil Engineering, LLC</u></p> <p>ADDRESS: <u>7485 West Azure Drive, Suite 226</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u></p> <p>TELEPHONE: <u>703-815-0720</u> CELL: <u>702-308-7115</u></p> <p>E-MAIL: <u>plaas@impulsecivil.net</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-30-518-003; 163-30-501-002

PROPERTY ADDRESS and/or CROSS STREETS: W. Tropicana Avenue & S. Grand Canyon Drive

PROJECT DESCRIPTION: Multi-family Apartments -- Waiver to allow 7-ft retaining wall with a 5-ft screen wall

(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.

Cherise Quimby
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON May 4, 2023 (DATE)

By Cherise Quimby
 NOTARY PUBLIC: Lisa Alexander



*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.

Impulse

Civil Engineering & Planning

7485 West Azure Drive, Suite 226

Las Vegas, NV 89130

PHONE 702-815-0720

FAX 702-478-8535

February 1, 2023
Clark County Current Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-1744

WS-23-0437

**Re: Letter of Justification for Waiver of Development Standards
Trop GC II Apartments
Impulse Reference Number OV-2053**

To Whom It May Concern:

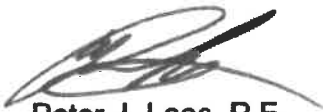
The proposed Trop GC II Apartment project is generally located on the south side of W. Tropicana Avenue and the east side of S. Grand Canyon Drive, in Section 30, of Township 21 South, Range 60 East, M.D.M. Clark County, Nevada. The site consists of APN 163-30-518-003.

We are respectfully requesting an administrative minor deviation of development standards to allow for a 7-foot retaining wall with a 5-foot screen wall to allow our site to be lower than existing developments. Title 30.64.050.4.A.iv states "4. Retaining walls above the allowed 3 foot maximum standard are permitted subject to the following: A. Height may be increased to a maximum of 12 feet. iv. 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 approval of an Administrative Minor Deviation application. Additional landscaping shall not be required.

This is required because the site entrance is off Tropicana Avenue. Tropicana in this location is 24-feet lower than the southwest corner of the site. In order to meet ADA access requirements we need to maintain a relatively flat site design which requires our proposed site to be 7-feet lower than the existing developments to the south.

If you have any questions or comments about this letter, please call me at 702-815-0720.

Sincerely,
Impulse Civil Engineering



Peter J. Laas, P.E.
Principal

$$I = \int F \cdot dt$$

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09/06/23 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

ROSANNA ST/OQUENDO RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0387-WH PROPERTIES LLC:

VACATE AND ABANDON a portion of a right-of-way being Rosanna Street located between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/hw/syp. (For possible action)

RELATED INFORMATION:

APN:
163-34-601-043

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict a 60 foot right-of-way described as Rosanna Street on the west side of Lots 1 through 4 of Parcel Map 124-41. The plans show that a 5 foot wide and 422 feet long strip on the east side of Rosanna Street, along the western edge of Lot 2, is proposed to be vacated. The overall area of Rosanna Street proposed to be vacated is 2,109 square feet. The applicant indicates that they are proposing a 124 room hotel with kitchens, and this 5 foot vacation of the eastern edge of the Rosanna Street right-of-way is needed to install detached sidewalks and street landscaping as is required by Title 30.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500107	1 lot commercial subdivision (Rainbow and Oquendo)	Approved by PC	July 2019
VS-18-0248	Vacate and abandon driveway approaches along Patrick Lane and Oquendo Road – recorded	Approved by PC	May 2018
DR-0440-07	3 building office complex	Approved by BCC	June 2007
VS-1813-05	Vacated and abandoned 5 feet of excess right-of-way along Rainbow Boulevard – recorded	Approved by PC	January 2006
UC-1514-05	Mini-warehouse facility with RV storage and waivers for architectural compatibility – expired	Approved by BCC	November 2005

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0719-05	Revise a previously approved retail and office center	Approved by ZA	June 2005
ZC-1740-04	Reclassified the site from an R-E zone to a C-2 zone for a retail and office center with a mini-warehouse facility.	Approved by BEC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-2	Single family residential
South	Corridor Mixed-Use	C-2	Office/retail complex
East	Corridor Mixed-Use	C-2	Undeveloped & office/retail complex
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-2 & R-E	Single family residential & place of worship/school

Related Applications

Application Number	Request
UC-23-0386	A use permit for a 124 room hotel with kitchens 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 right-of way for detached sidewalks.

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.
- Applicant is advised that the installation of detached sidewalks will require the recording of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MATTHEW HOOK

**CONTACT: AMY GRAYBILL, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE,
SUITE 17, LAS VEGAS, NV 89106**



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0387</u>	DATE FILED: <u>6/28/23</u>
		PLANNER ASSIGNED: <u>NW</u>	TAB/CAC DATE: <u>8/18/23</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>9/16/23</u>	
		FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>WH PROPERTIES LLC - ERIC WILLS</u>
	ADDRESS: <u>32 S. La Senda Dr</u>
	CITY: <u>Laguna Beach</u> STATE: <u>CA</u> ZIP: <u>92651</u>
	TELEPHONE: <u>714-473-0358</u> CELL: _____
	E-MAIL: <u>ericwills5@gmail.com</u>


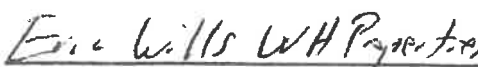
APPLICANT	NAME: <u>Concord WP COL Las Vegas LLC - Matt Hook</u>
	ADDRESS: <u>11410 Common Oak Drive</u>
	CITY: <u>Raleigh</u> STATE: <u>NC</u> ZIP: <u>27614</u>
	TELEPHONE: <u>919-455-2900</u> CELL: _____
	E-MAIL: <u>Matt.Hook@concordhotels.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>RCI Engineering - Chris Thompson & Amy Graybill</u>
	ADDRESS: <u>500 South Rancho Dr. Suite 17</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u>
	TELEPHONE: <u>702-453-0800</u> CELL: _____
	E-MAIL: <u>cthompson@rcinevada.com agraybill@rcinevada.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-34-601-043

PROPERTY ADDRESS and/or CROSS STREETS: Rosanna Street & Oquendo Road

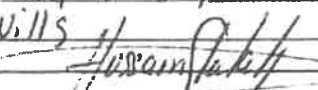
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF NEVADA California
COUNTY OF Riverside

SUBSCRIBED AND SWORN BEFORE ME ON April 28th, 2023 (DATE)

By Eric Wills
 NOTARY PUBLIC: 


HUSSAM SHALABY
 Notary Public - California
 Riverside County
 Commission # 2363252
 My Comm. Expires Jun 29, 2025

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



PLANNER
COPY
VS-23-0387

June 21, 2023

Clark County Comprehensive Planning
500 South Grand Central Parkway
PO Box 551744
Las Vegas, NV 89155

**RE: Project Description and Compelling Justification Letter
Extended Stay America at Rosanna and Oquendo
Conditional Use Permit, Design Review, Waiver of Development Standards, Use
Permit and Vacation**

On behalf of the applicant Concord Development we have prepared the following project description and letter of compelling justification in support of a conditional use permit, design review, waiver of development standards, use permit and vacation for a 124 room Extended Stay America hotel.

The subject 2.96-acres site is located on the east side of Rosanna Street 200 feet south of Oquendo Road, within Spring Valley. The parcel is currently undeveloped and is bisected by a natural wash that has been reinforced with rock lining. The parcel is bound on the north by an existing like zoned C-2 medical use on the east by two undeveloped and like zoned parcels. On the south by an existing C-2 zoned professional office building and on the east by Rosanna Street. Across Rosanna Street there are six existing R-2 zoned single-family residential homes and the Awaken Christian Academy, a private Pre-K through 12th grade school.

The applicant is requesting a Use Permit for a Hotel located with an C-2 zoning district per title 30 as well as a design review to raise grade.

Conditional Use Permit

The proposed Extended Stay America will consist of a 54,000 square foot four story building with 124 hotel rooms, a fitness room, lounge area and support office and back of house space. The hotel will be 49-feet tall measured to the top of parapet. The building has been sited 131.5-feet from the Rosanna Street right of way. The hotel building will have a predominantly Stucco finish in grays and earth tones with decorative brick and metal accents. The entries will be identified by aluminum hanging canopies. Colored elevations, a rendering and material board have been included with this application.

The site will be accessed from either Patrick Lane or Oquendo Road via a private reciprocal access easement that extends from Patrick Lane to Oquendo Road along the subject parcel's eastern boundary. The hotel building has been oriented to face east, toward the access road and away from the residential uses across Rosanna Street. An access to the parking lot has been located on both the north and south side of the building. Internal parking and circulation has been



configured per Title 30 requirements and will provide a single drive aisle with parking on both sides on the east side of the building. On the west side of the building, the rear of the hotel, there will be two drive aisles. One with parking along both sides immediately adjacent to the hotel and a second aisle, with single loaded parking, located nearest to Rosanna where parking has been oriented to face Rosanna. The code required 6' landscape adjacent to Rosanna has been increased to ten feet to provide additional buffering and separation to the residential uses located across Rosanna Street.

Illuminated building mounted signage will be located on all 4 sides of the hotel. The front of the hotel will have 2 signs. The first being a 72 s.f sign consisting of the logo and brand name located on the parapet of the building, just south of the buildings center. The second building mounted sign will consist of a 16 s.f. logo sign located to the right of the hotels main entrance doors. The north and south face of the building will have a sign similar to the front parapet sign, also located on the parapet, with a smaller 39 s.f size. The rear of the building will have two signs, one located on each corner, these signs will be the same as the signage on the north and south faces, 39 s.f. each.

Design Review

As previously discussed the subject site is crossed by an existing/partially improved natural wash with a varying depth from eight feet to twelve feet. Plans for the construction of a 54" reinforced concrete pipe to carry the storm flows which pass in this channel from Rosanna to the Rainbow and Oquendo intersection have been approved under PW18-15515 and PW19-15978. With this project that storm drain system will be constructed eliminating the need for the existing channel. This will allow for the area where the channel crosses the site to be filled to accept the proposed development.

Per Title 30 section 30.32.040.9.b a request to increase grade by more than 36 inches must be approved through a design review. With this application the applicant is requesting an approval to raise grade by up to 12 feet in order to fill the existing channel.

A design review is also being requested for an alternative landscape standard along the eastern side of the hotel. This side of the hotel has the main entrance and the accessible parking stalls as well as drop off area. The parking stalls adjacent to the sidewalk along the front of the building are configured in a manner that is not directly addressed by Figure 30.64-14 since the Option 1 configuration contemplates stalls head to head and Option 2 contemplates an 8' landscape strip. The stalls north of the entry are configured in a row of 7 spaces and the stalls south of the entry are configured in a row of 9 spaces 5 of which are accessible spaces. The stalls to the south of the entry will have a 5-foot-wide sidewalk and landscape strip with a varying width of 3.33' to 8.76'. Since the landscape strip is immediately adjacent to the building it is not suitable for the planting of trees. For the stalls north of the entry will have a 5' wide sidewalk immediately adjacent to the building. The proposed standard, being requested is to provide an increase planting area immediately adjacent to the entrance drop off in lieu of additional landscape finger islands. By adding the islands odd parking configurations consisting of groups of 3 parking stalls would be created in area, adjacent to the entrance where parking is most needed. It should be noted that



this condition is located on a building face which points internal to the site and is only exposed to the common lot line with the commercial use to the east.

Waiver of Development Standards

The proposed development lies with the Clark County Cooperative Management Agreement (CMA) area overlay district. Per Title 30 section 30.48.650.6 states that nonresidential buildings shall not have facades longer than 100 feet and/or two stories in height. The proposed hotel will consist of a 4-story building with a faced length of 257.5 feet on the longest side. The approval of this type of waiver has become common in the CMA overlay district for development with arterial corridors. Similar 4-story hotels and larger, up to 7 story, professional office developments. To offset this request a facade with articulating planes, a varying roof line and subdued tones has been proposed. Additionally, the building has been setback as far as possible from Rosanna Street with a 15-foot landscape buffer along Rosanna Street and the parking lot has been broken up through the use of option 2 parking strips. The CMA overlay also requires that architecture be compatible overall and for roof design. The adjacent buildings which were developed in 2007 have a tile roof. The proposed hotel will have a parapet roof which does not match the existing adjacent buildings. It should be noted that the architecture has been designed to be compatible from a color and finish standpoint so that continuity across these parcels will be maintained.

Additionally, per Table 30.56-2 nonresidential developments shall not access local streets, or arterial or collector streets if the block includes land master planned for single family residential uses, unless the street is the sole means of access. Since the development will take access from Oquendo, a local street with residential uses included within the block, a waiver of Title 30 will be required. It should be noted that the residential use was established in 2020 while this existing access point was constructed and has been in use since 2007.

Use Permit

Per Table 30.44-1 Kitchens are not permitted in hotel guest rooms. Since the hotel rooms will feature a stovetop, microwave and full-size refrigerator, a key amenity to Extended Stay brand, a Use permit will be required.

Vacation of Public Right of Way

In order to accommodate the detached sidewalk along the projects Rosanna frontage a vacation of excess right of way will be required. This vacation is typical for project installing detached sidewalk. A 10-foot-wide pedestrian access, street light and traffic control devise easement as well as a 5-foot-wide drainage and utility easement will be granted along the Rosanna Frontage.

Parking Analysis

The proposed development will have 124 hotel rooms which will require 1 parking space per hotel room per Title 30, Table 30.60-1. Following is the by use required parking breakdown:

USE	SQUARE FOOTAGE/UNIT	PARKIGN REQUIRED
Hotel	124 rooms (1:hotel room)	124 spaces

VS-23-0387



TOTAL REQUIRED		124 spaces (147 spaces provided)
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Based upon this analysis the development will be over parked by 23 spaces.

Should you have any questions or wish to further discuss this application please contact me at (702) 453-0800.

Sincerely,
RCI Engineering

A handwritten signature in black ink, appearing to read 'Chris Thompson'.

Chris Thompson, P.E.
Principal

09/06/23 BCC AGENDA SHEET

HOTEL
(TITLE 30)

ROSANNA ST/OQUENDO RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0386-WH PROPERTIES, LLC:

USE PERMIT to allow kitchens within hotel guestrooms.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; 2) roof style; and 3) local street access.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) increased finished grade; 3) signage; and 4) a hotel in conjunction with an existing office/retail complex on a portion of 8.9 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Rosanna Street, approximately 215 feet south of Oquendo Road within Spring Valley. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:
163-34-601-042 through 163-34-601-045

USE PERMIT:
Allow kitchens within the guestrooms of a proposed hotel where not permitted per Table 30.44-1.

- WAIVERS OF DEVELOPMENT STANDARDS:**
1. Allow a stucco hotel building not architecturally compatible with the architectural style of the overall existing office/retail complex where required per Section 30.48.650.
 2. Allow a non-compatible roof style (flat roof) where a roof style compatible with the roof design of the entire office/retail complex (gabled, tiled roof) is required per Section 30.48.650.
 3. Permit a commercial development to have access to a local street (Oquendo Road) where not permitted per Table 30.56-2.

- DESIGN REVIEWS:**
1. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
 2. Increase finished grade to 121 inches (10.1 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 236% increase).
 3. Signage in conjunction with a proposed hotel.
 4. Hotel with guestroom kitchens in conjunction with an existing office/retail complex.

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3 (subject site)/8.9 (complex)
- Project Type: Hotel with guestroom kitchens
- Number of Stories: 4
- Building Height (feet): 49
- Square Feet: 13,538
- Parking Required/Provided: 124/147 (hotel site)/495/532 (overall complex)

Site Plans

The plans depict an existing, semi-developed office/retail complex located along the eastern side of Rosanna Street between Oquendo Road and Patrick Lane. An office building in the north and another office building in the south central portion of the complex are currently completed. The provided site plan shows the 3 acre, north-central portion of the existing office/retail complex, better described as Lot 2 of the complex, as the subject site. The plans show a proposed 13,538 square foot hotel building located in east-central portion of the subject site. The building is set back 141.5 feet from Rosanna Street, 116.4 feet from the east property line (approximately 400 feet west of Rainbow Boulevard), approximately 77.7 feet from the southern property line, and approximately 82 feet from the northern property line. Access to the site is provided by a 25.5 foot drive aisle that connects to the south with Patrick Lane, a collector street, and to the north with Oquendo Lane, a local street through cross access with the development to the north and south. This existing access aisle crosses the entire office/retail complex north to south with smaller 24 foot drive aisles that radiate off to provide access to the proposed parking lot and hotel building on the site. Overall, there are 2 points of cross access to both the property to the north and the property to the south. There will be no direct access to Rosanna Street and any current access to Rosanna Street is being removed. A 5 foot wide pedestrian walkway connects Rosanna Street to the hotel building with additional walkways providing access to the office buildings to the north and south. Parking is provided in the space surrounding the hotel building. The parking area is broken up into 3 parking areas with two, 8 foot to 13 foot landscaping strip islands. For the subject site, 147 parking stalls are provided with hotels requiring 1 space per guestroom for a total of 124 required parking stalls. Due to cross access and parking agreements, the overall site for all uses requires 495 parking stalls with 532 parking stalls provided across the entire site.

The provided cross sections show that a total fill of 10.1 feet is required for the grading of the site. The provided plans show that the necessary increase in fill is required in the central portion of the site under the northeast corner of the proposed hotel building.

Landscaping

The provided landscaping plans depict that both street and parking lot landscaping is being provided. Along Rosanna Street, a 20 foot landscaping buffer is being provided. This buffer contains a 5 foot landscaping strip along Rosanna Street, a 5 foot detached sidewalk, and then a 10 foot landscaping buffer, which exceeds the requirements of Figure 30.64-17. Seventeen Shoestring Acacia (*Acacia stenophylla*) trees are provided every 20 feet on center in staggered rows, where 11 large, 24 inch box trees are required for the frontage. Besides trees, various species of shrubs are interspersed in the landscaping strips.

With regard to parking lot landscaping, along the cross access drive aisle and between the street and hotel building are 8 foot wide landscaping strips with 9 foot finger islands every 8 to 12 parking stall spaces. These landscaping strips provide 2 to 3 Acacia trees within the landscaping strip and a Red Push Pistache (*Pistacia x 'Red Push'*) tree within the landscaping finger islands. A similar configuration of parking lot landscaping is provided along the northern boundary of the site, except the landscaping strip area is 20 feet. Along the southern boundary of the property, a 6.7 foot landscaping strip with terminating landscaping strips every 5 to 6 parking stalls is provided. These landscaping areas contain Red Push Pistache within the landscape fingers and Acacia within the landscaping strip. Along the western edge of the hotel building, landscape terminal and finger islands are provided every 5 to 6 parking spaces with Red Push Pistache provided within the islands. These configurations all conform to Figure 30.64-14. Along the eastern edge of the hotel, the parking lot contains landscape finger and terminal islands, which contain Red Push Pistache trees with various shrubs, every 7 to 9 parking stall spaces. This portion of the parking lot does not conform to Figure 30.64-14 and is the reason a design review for alternative parking lot landscaping is required.

Elevations

The provided elevations depict a 49 foot tall hotel building. The building is divided into 4 floors reaching 41.7 feet high with the additional 7.3 feet being added parapet height. The façade of the building has a length of 257 feet along the east and west elevations of the building and a façade length of 57.3 feet along the north and south elevations of the building. The CMA Design Overlay caps the lengths of façades at 100 feet and 2 stories, meaning waivers of development standards are required.

The exterior consists primarily of neutral, desert colored (beige, brown, cream) colored stucco panels and decorative gray brick accents. The main structure is brown with cream and beige colored pop outs and pilasters. The roofline of the building consists of EIFS cornices and metal coping. The overall roof itself is a flat style roof. The east and west elevations contain a significant amount of fenestration with fixed vinyl windows provided on all four floors for each room, with additional windows provided at the end of each corridor on each floor. The main access to the building is provided along the eastern portion of the building through a commercial sliding door system. On the western portion of the building, access is provided through a commercial window and door system. On the north and south, access is provided to the first floor corridor with aluminum commercial doors. Aluminum overhang awnings are provided over each door. Wall-mounted luminaries are found just below the first floor cornice. Waivers of development standards are needed to the CMA Design Overlay for the exterior design of the hotel building as the other buildings in the overall complex have an Italianate style of

architecture, while the hotel building is more contemporary in style. In addition, the roof style of the hotel building is flat, while the CMA Design Overlay requires the building to have tiled, gabled roof similar to the other buildings within the complex.

Floor Plans

The floor plans provided show that the first floor will consist of various guestrooms with a lobby, breakfast space, an elevator vestibule area, and various support rooms (laundry, office, etc.) located in the central portion of the building. The second through fourth floors all contain guestrooms with a laundry and vending area provided. The provided floor plans show that there will be six types of guestrooms provided. They will all be studios with either a king, queen, or double queen beds with ADA accessible versions of each floor plan. The guestrooms will contain a central space which contains the bed(s), a sitting area, a desk, and small kitchenette that will contain a refrigerator, sink, and a stovetop. A bathroom with a toilet, sink, and tub shower is also provided. Due to the stovetop element, the kitchenettes are deemed kitchens by definition and require a use permit.

Signage

The elevations provided show that there will be a total of six (6) wall signs placed on the exterior of the hotel building. There will be two wall signs along the east and west facades each and one on both the north and south facades. Five of the six wall signs will be signs with a logo and the hotel's name with the sixth sign simply being a logo. On the east elevation, there will be a 72 square foot logo and name sign located in the central portion of the building along the building's parapet. A second 16 square foot logo sign will be placed to the right of the main entrance door. On the western portion of the building, there will be two 39 square foot logo and name wall signs on the north and south corner parapets. A similar 39 square foot logo and name sign will be placed on the central portion of the building parapet on the north and south elevation. A total of 244 square feet of wall signage is proposed. The name portion of the wall signs is proposed to be black with a portion being a light green color. The logo portion of the signs will be a light green color. All wall signs are internally illuminated within standard aluminum channel lettering with all lettering under 4 feet in height.

Table summarizing signage is provided below:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of existing signs	# of proposed signs	Total # of signs
Wall	0	244	244	2,513	0	6	6
Overall Total	0	244	244	N/A	0	6	6

Applicant's Justification

The applicant states that the proposed hotel will provide 124 hotel rooms and various amenities across approximately 54,000 square feet of floor area. They state that the proposed building is situated as far back from Rosanna Street as possible and will be constructed of painted stucco and decorative brick in earth tones with access provided from both north and south of the site. In addition, the applicant indicates that a kitchenette will be provided in each room, but the guestrooms will only be used for transient hotel guests only. Furthermore, the applicant indicates that all signage will comply with Title 30 and will be compatible with the surrounding area, and that the overall building façade is similar in length and height to similar buildings in the area.

The applicant also notes that while the roof and architectural style of the proposed building does not match completely with the overall complex, the color scheme is the same and access has been provided to the office building to the north from Oquendo Road since 2007. Finally, the applicant states that the increased fill is needed in order to handle the effects of an existing natural wash crossing the property.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500107	1 lot commercial subdivision (Rainbow and Oquendo)	Approved by PC	July 2019
VS-18-0248	Vacate and abandon driveway approaches along Patrick Lane and Oquendo Road – recorded	Approved by PC	May 2018
DR-0440-07	Three building office complex.	Approved by BCC	June 2007
VS-1813-05	Vacate and abandon 5 feet of excess right-of-way along Rainbow Boulevard – recorded	Approved by PC	January 2006
UC-1514-05	Mini-warehouse facility with RV storage and waivers for architectural compatibility - expired	Approved by BCC	November 2005
ADR-0719-05	Revise a previously approved retail and office center.	Approved by ZA	June 2005
ZC-1740-04	Reclassify the site from an R-E zone to a C-2 zone for a retail and office center with a mini-warehouse facility.	Approved by BCC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-2	Single family residential
South	Corridor Mixed-Use	C-2	Office/retail complex
East	Corridor Mixed-Use	C-2	Undeveloped & Office/retail complex
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-2 & R-E	Single family residential & place of worship/school

Related Applications

Application Number	Request
VS-23-0387	A vacation and abandonment of a portion of Rosanna Street for detached sidewalks is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Comprehensive Planning
Use Permit

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

The need for a use permit for kitchens within hotel guestrooms is to assure that the location does not evolve into long-term lodging or multi-family residential uses. Given that the proposed kitchens within the hotel guest rooms are more of a kitchenette in nature with a refrigerator, microwave, and stovetop elements, staff finds it unlikely that such appliances would be conducive to more long term, non-transient stays within the proposed hotel. The hotel is located in an established commercial area with residential to the west. The hotel serves as an appropriate transition between the commercial building along Rainbow Boulevard to the east and the residential to the west. With that said, more long term lodging may not be appropriate for this area. For these reasons, staff can support this use permit as long as the kitchens are used as a convenience for typical transient hotel guests and not for long term lodging. However, since Department of Aviation is not in support of this request, staff cannot support the use permit.

Waivers of Development Standards

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

Waivers of Development Standards #1 & #2

While staff does find that the architectural and roof styles of the proposed hotel building and the buildings within the overall building complex are different, staff can support these waivers of development standards as the architectural elements being proposed are attractive and contemporary and will positively contribute to the aesthetics of the neighborhood. In addition, the exterior textures, colors, and materials are similar and could serve as a good transition between the commercial buildings along Rainbow Boulevard, the office/retail complex itself, and the single family homes to the west. However, since Department of Aviation is not in support of this request, staff cannot support these waivers of development standards.

Waiver of Development Standards #3

Staff finds that allowing access to the local street, Oquendo Road, should not pose significant impacts on the area or the uses that exist along Oquendo Road and the other local streets nearby. The existing driveway has served the office building to north and was proposed for the complex since 2007, the point of access is no further than 250 feet from Rainbow Boulevard, and the access point to Oquendo Road starts before many of the residential uses begin along Oquendo Road and surrounding streets. In addition, a place of worship and school fronts and accesses Oquendo Road west of this site. Finally, with no access to the site from Rosanna Street there

should be limited traffic related to the hotel and office complex reaching the residential streets west of the site. For these reasons, staff can support this waiver of development standards. However, since Department of Aviation is not in support of this request, staff cannot support this waiver of development standards.

Design Review #1

The purpose of parking lot landscaping is to provide attractive sites and street views, but to also provide shade and reduce the effects of the heat island effect that are created from large expanses of pavement. Staff finds that the parking lot landscaping provided either exceeds or meets that which is required by Figure 30.64-14 in all portions of the parking lot except for a small portion of the parking lot in the eastern corner of the proposed building. Given that this portion of the parking lot does not meet the requirements of Title 30 due to the addition of 1-3 parking stalls between compliant terminating landscape fingers, staff finds that these additional spots are an isolated issue with regard to the parking lot landscaping and should not significantly impact the heating issue in the area. In addition, staff finds that while the applicant is not able to design the site to comply with Figure 30.64-14 in the affected area, staff also finds that since the site is otherwise compliant with Figure 30.64-14 and the issue is minor, the alternative presented is sufficient to address heating and aesthetics; therefore, staff can support this design review. However, since Department of Aviation is not in support of this request, staff cannot support the design review.

Design Reviews #3 & #4

Overall, staff finds that the proposed design is contemporary and attractive and should blend into the surrounding area, while also serving as an adequate buffer between the higher intensity uses along Rainbow Boulevard and the single family homes to the east. In addition, the proposed design proposes a significant amount of parking lot and street landscaping that should alleviate any heat island effects caused by the new pavement on site, as well as to serve as a point of continuity in the overall complex and a noise and visual buffer to surrounding uses. The site is well connected, which should help to reduce impacts related to traffic on the street and adjacent homes, while pushing access to the larger streets and keeping traffic away from the homes along the western edge of the complex. The signage provided is similar to the signage found on similar buildings in the area and the Las Vegas Valley as a whole. The signage is well integrated with the architecture and colors of the site and should not pose a visual burden. The signs are well proportioned in size to the building and the facades they are placed on. For these reasons, staff can support these design reviews. However, since Department of Aviation is not in support of this request, staff cannot support these design reviews.

Public Works - Development Review

Design Review #2

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

Department of Aviation

APN 163-34-601-042, 163-34-601-043, 163-34-601-044, 163-34-601-045 contains certain deed restrictions which (1) prohibit uses incompatible with airport operations including those presented in this land use application from being developed, and (2) prohibit these parcels from being used to enhance incompatible uses on adjacent parcels. Since the project is located within the AE-60, amendments to said deed restrictions which would then permit uses currently prohibited by recorded deed restrictions will not be accepted. Staff recommends denial, and the application cannot move forward for APN 163-34-601-042, 163-34-601-043, 163-34-601-044, 163-34-601-045 due to conflict with recorded deed restrictions. The recorded deed restrictions will not be removed since the parcel is located within the AE-60.

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:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Reconstruct any unused driveways with full off-site improvements.
- 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 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

- Compliance with airport-related deed restrictions for APN 163-34-601-042, 163-34-601-043, 163-34-601-044, 163-34-601-045 which will not be removed since the parcel is located within the AE-60.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0061-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MATTHEW HOOK

**CONTACT: AMY GRAYBILL, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE
SUITE 17, LAS VEGAS, NV 89106**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

18

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 checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(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>UC-23-0386</u> DATE FILED: <u>6/28/23</u></p> <p>PLANNER ASSIGNED: <u>HW</u></p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8/18/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>9/6/23</u></p> <p>FEE: <u>\$1,825</u></p>
	PROPERTY OWNER	<p>NAME: <u>WH PROPERTIES LLC - ERIC WILLS</u></p> <p>ADDRESS: <u>32 S. La Senda Dr</u></p> <p>CITY: <u>Laguna Beach</u> STATE: <u>CA</u> ZIP: <u>92651</u></p> <p>TELEPHONE: <u>714-473-0358</u> CELL: _____</p> <p>E-MAIL: <u>ericwills5@gmail.com</u></p>
	APPLICANT	<p>NAME: <u>Concord WP COL Las Vegas LLC</u></p> <p>ADDRESS: <u>11410 Common Oak Drive</u></p> <p>CITY: <u>Raleigh</u> STATE: <u>NC</u> ZIP: <u>27614</u></p> <p>TELEPHONE: <u>919-455-2900</u> CELL: _____</p> <p>E-MAIL: <u>Carl.Hren@concordhotels.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>RCI Engineering - Chris Thompson & Amy Graybill</u></p> <p>ADDRESS: <u>500 South Rancho Dr. Suite 17</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u></p> <p>TELEPHONE: <u>702-453-0800</u> CELL: _____</p> <p>E-MAIL: <u>cthompson@rcinovada.com agraybill@rcinovada.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-34-601-043

PROPERTY ADDRESS and/or CROSS STREETS: Rosanna Street & Oquendo Road

PROJECT DESCRIPTION: Use Permit & Design Review - See Attached Justification Letter

(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.

Eric Wills
 Property Owner (Print)

Property Owner (Signature)*

STATE OF California
 COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON 2-25-2023 (DATE)
 By Eric Wills

NOTARY PUBLIC: *See Attachment

*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 JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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

Subscribed and sworn to (or affirmed) before me

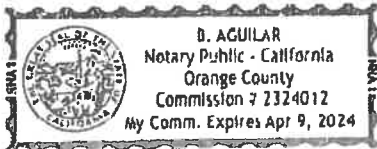
on this 25 day of February, 2023
by Eric Wills
Date Month Year

(1) _____

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature B. Aguilar
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Land Use Application Document Date: 2-25-23

Number of Pages: _____ Signer(s) Other Than Named Above: _____



PLANNER

COPY

01-23-0386

June 21, 2023

Clark County Comprehensive Planning
500 South Grand Central Parkway
PO Box 551744
Las Vegas, NV 89155

**RE: Project Description and Compelling Justification Letter
Extended Stay America at Rosanna and Oquendo
Conditional Use Permit, Design Review, Waiver of Development Standards, Use
Permit and Vacation**

On behalf of the applicant Concord Development we have prepared the following project description and letter of compelling justification in support of a conditional use permit, design review, waiver of development standards, use permit and vacation for a 124 room Extended Stay America hotel.

The subject 2.96-acres site is located on the east side of Rosanna Street 200 feet south of Oquendo Road, within Spring Valley. The parcel is currently undeveloped and is bisected by a natural wash that has been reinforced with rock lining. The parcel is bound on the north by an existing like zoned C-2 medical use on the east by two undeveloped and like zoned parcels. On the south by an existing C-2 zoned professional office building and on the east by Rosanna Street. Across Rosanna Street there are six existing R-2 zoned single-family residential homes and the Awaken Christian Academy, a private Pre-K through 12th grade school.

The applicant is requesting a Use Permit for a Hotel located with an C-2 zoning district per title 30 as well as a design review to raise grade.

Conditional Use Permit

The proposed Extended Stay America will consist of a 54,000 square foot four story building with 124 hotel rooms, a fitness room, lounge area and support office and back of house space. The hotel will be 49-feet tall measured to the top of parapet. The building has been sited 131.5-feet from the Rosanna Street right of way. The hotel building will have a predominantly Stucco finish in grays and earth tones with decorative brick and metal accents. The entries will be identified by aluminum hanging canopies. Colored elevations, a rendering and material board have been included with this application.

The site will be accessed from either Patrick Lane or Oquendo Road via a private reciprocal access easement that extends from Patrick Lane to Oquendo Road along the subject parcel's eastern boundary. The hotel building has been oriented to face east, toward the access road and away from the residential uses across Rosanna Street. An access to the parking lot has been located on both the north and south side of the building. Internal parking and circulation has been



configured per Title 30 requirements and will provide a single drive aisle with parking on both sides on the east side of the building. On the west side of the building, the rear of the hotel, there will be two drive aisles. One with parking along both sides immediately adjacent to the hotel and a second aisle, with single loaded parking, located nearest to Rosanna where parking has been oriented to face Rosanna. The code required 6' landscape adjacent to Rosanna has been increased to ten feet to provide additional buffering and separation to the residential uses located across Rosanna Street.

Illuminated building mounted signage will be located on all 4 sides of the hotel. The front of the hotel will have 2 signs. The first being a 72 s.f sign consisting of the logo and brand name located on the parapet of the building, just south of the buildings center. The second building mounted sign will consist of a 16 s.f. logo sign located to the right of the hotels main entrance doors. The north and south face of the building will have a sign similar to the front parapet sign, also located on the parapet, with a smaller 39 s.f size. The rear of the building will have two signs, one located on each corner, these signs will be the same as the signage on the north and south faces, 39 s.f. each.

Design Review

As previously discussed the subject site is crossed by an existing/partially improved natural wash with a varying depth from eight feet to twelve feet. Plans for the construction of a 54" reinforced concrete pipe to carry the storm flows which pass in this channel from Rosanna to the Rainbow and Oquendo intersection have been approved under PW18-15515 and PW19-15978. With this project that storm drain system will be constructed eliminating the need for the existing channel. This will allow for the area where the channel crosses the site to be filled to accept the proposed development.

Per Title 30 section 30.32.040.9.b a request to increase grade by more than 36 inches must be approved through a design review. With this application the applicant is requesting an approval to raise grade by up to 12 feet in order to fill the existing channel.

A design review is also being requested for an alternative landscape standard along the eastern side of the hotel. This side of the hotel has the main entrance and the accessible parking stalls as well as drop off area. The parking stalls adjacent to the sidewalk along the front of the building are configured in a manner that is not directly addressed by Figure 30.64-14 since the Option 1 configuration contemplates stalls head to head and Option 2 contemplates an 8' landscape strip. The stalls north of the entry are configured in a row of 7 spaces and the stalls south of the entry are configured in a row of 9 spaces 5 of which are accessible spaces. The stalls to the south of the entry will have a 5-foot-wide sidewalk and landscape strip with a varying width of 3.33' to 8.76'. Since the landscape strip is immediately adjacent to the building it is not suitable for the planting of trees. For the stalls north of the entry will have a 5' wide sidewalk immediately adjacent to the building. The proposed standard, being requested is to provide an increase planting area immediately adjacent to the entrance drop off in lieu of additional landscape finger islands. By adding the islands odd parking configurations consisting of groups of 3 parking stalls would be created in area, adjacent to the entrance where parking is most needed. It should be noted that



this condition is located on a building face which points internal to the site and is only exposed to the common lot line with the commercial use to the east.

Waiver of Development Standards

The proposed development lies with the Clark County Cooperative Management Agreement (CMA) area overlay district. Per Title 30 section 30.48.650.6 states that nonresidential buildings shall not have facades longer than 100 feet and/or two stories in height. The proposed hotel will consist of a 4-story building with a faced length of 257.5 feet on the longest side. The approval of this type of waiver has become common in the CMA overlay district for development with arterial corridors. Similar 4-story hotels and larger, up to 7 story, professional office developments. To offset this request a facade with articulating planes, a varying roof line and subdued tones has been proposed. Additionally, the building has been setback as far as possible from Rosanna Street with a 15-foot landscape buffer along Rosanna Street and the parking lot has been broken up through the use of option 2 parking strips. The CMA overlay also requires that architecture be compatible overall and for roof design. The adjacent buildings which were developed in 2007 have a tile roof. The proposed hotel will have a parapet roof which does not match the existing adjacent buildings. It should be noted that the architecture has been designed to be compatible from a color and finish standpoint so that continuity across these parcels will be maintained.

Additionally, per Table 30.56-2 nonresidential developments shall not access local streets, or arterial or collector streets if the block includes land master planned for single family residential uses, unless the street is the sole means of access. Since the development will take access from Oquendo, a local street with residential uses included within the block, a waiver of Title 30 will be required. It should be noted that the residential use was established in 2020 while this existing access point was constructed and has been in use since 2007.

Use Permit

Per Table 30.44-1 Kitchens are not permitted in hotel guest rooms. Since the hotel rooms will feature a stovetop, microwave and full-size refrigerator, a key amenity to Extended Stay brand, a Use permit will be required.

Vacation of Public Right of Way

In order to accommodate the detached sidewalk along the projects Rosanna frontage a vacation of excess right of way will be required. This vacation is typical for project installing detached sidewalk. A 10-foot-wide pedestrian access, street light and traffic control devise easement as well as a 5-foot-wide drainage and utility easement will be granted along the Rosanna Frontage.

Parking Analysis

The proposed development will have 124 hotel rooms which will require 1 parking space per hotel room per Title 30, Table 30.60-1. Following is the by use required parking breakdown:

USE	SQUARE FOOTAGE/UNIT	PARKIGN REQUIRED
Hotel	124 rooms (1:hotel room)	124 spaces

UC-23-0386



TOTAL REQUIRED	124 spaces (147 spaces provided)
----------------	----------------------------------

Based upon this analysis the development will be over parked by 23 spaces.

Should you have any questions or wish to further discuss this application please contact me at (702) 453-0800.

Sincerely,

RCI Engineering

A handwritten signature in black ink, appearing to read 'Chris Thompson', written over the 'RCI Engineering' text.

Chris Thompson, P.E.
Principal

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09/06/23 BCC AGENDA SHEET

LANDSCAPING/FINISHED GRADE
(TITLE 30)

PONDEROSA WY/DUNEVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0439-PREMIER PROPERTY PRESERVATION, LLC:

WAIVER OF DEVELOPMENT STANDARDS to eliminate street landscaping, **DESIGN REVIEW** to increase finished grade in conjunction with a single family residential development on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay.

Generally located on the northwest corner of Ponderosa Way and Duneville Street within Spring Valley. MN/jud/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-202-010

WAIVER OF DEVELOPMENT STANDARDS:

Eliminate sidewalk and street landscaping where required per Figure 30.64-17.

DESIGN REVIEW:

Increase finished grade to 4 feet where 3 feet is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.5
- Number of Lots/Units: 4
- Density (du/ac): 2
- Project Type: Landscape and finished grade

Request & Site Plan

This request is to waive the required perimeter landscaping and sidewalk along Ponderosa Way and Duneville Street associated with a minor subdivision (MSM-22-600025). The minor subdivision map indicates that the site, 2.5 acres, will be subdivided into 4 parcels. Thirty feet will be dedicated for public right-of-way along Ponderosa Way and Duneville Street

respectively. Along the northern property line is a 5 foot drainage easement. The applicant is requesting a waiver of development standards to eliminate the requirement for landscape and sidewalk along both streets. Additionally, the applicant is requesting an increase in finished grade to 4 feet due to the topography of the subject site.

Landscaping

No landscaping is provided along Ponderosa Way and Duneville Street.

Elevations

The plans depict perimeter screen and retaining walls at a maximum height of 9 feet. Six feet are proposed to be a screening wall and the additional 3 feet are proposed to be retaining walls. Along the northern property line, the perimeter wall will be set back 5 feet south in order to accommodate the 5 foot wide drainage easement.

Applicant's Justification

The applicant states due to the existence of an old inactive wash on the site, it is necessary to fill in portions of the wash to create the pads for the 2 northernly lots (Lots 2 and 3). The maximum depth of fill on proposed Lot 2 is about 3 feet 2 inches (east side of the lot) and on proposed Lot 3 is about 4 feet. The applicant is requesting to not install a sidewalk and the required landscaping along the street frontages as required by Title 30 Development Code.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood	R-E (RNP-I)	Undeveloped
South, East, & West	Ranch Estate Neighborhood	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

Waiver of Development Standards

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

Staff finds that the applicant has not provided any justification to eliminate the required landscaping, and sidewalk. Staff understands the site is rural in nature; however, providing the required sidewalk and landscaping will enhance the visual appeal of the street scape and will promote a safer environment for the residents of the area. By requesting to eliminate the required

street landscaping, the applicant is not providing any mitigating element for the 9 foot wall height proposed along the east side of Lot 3. Therefore, staff cannot support this request.

Public Works - Development Review

Design Review

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

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Provide 1 medium tree every 20 feet inside the walls along Ponderosa Way and Duneville Street;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;

- Right-of-way dedication to include 30 feet for Duneville Street, 30 feet for Ponderosa Way and associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0341-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: PREMIER PROPERTY PRESERVATION, LLC

CONTACT: BEN TORRELLA, 712 MAXLEY COURT, LAS VEGAS, NV 89145



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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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 type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(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-23-0439</u> DATE FILED: <u>7/12/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8/8/23</u></p> <p>PC MEETING DATE: <u>0</u></p> <p>BCC MEETING DATE: <u>9/6/23</u></p> <p>FEE: <u>\$1,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>PREMIER PROPERTY PRESERVATION L L C</u></p> <p>ADDRESS: <u>9558 SWINTON AVE</u></p> <p>CITY: <u>NORTH HILLS</u> STATE: <u>CA</u> ZIP: <u>91343</u></p> <p>TELEPHONE: _____ CELL: <u>818.384.0743</u></p> <p>E-MAIL: <u>Angelo@pppreserves.com</u></p>
	APPLICANT	<p>NAME: <u>BEN TORRELLA</u></p> <p>ADDRESS: <u>712 MAXLEY CT.</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89145</u></p> <p>TELEPHONE: <u>702.516.7570</u> CELL: <u>702.665.9507</u></p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Same as applicant</u></p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-36-202-010

PROPERTY ADDRESS and/or CROSS STREETS: NW corner of Duneville and Ponderosa

PROJECT DESCRIPTION: Minor 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.

 Property Owner (Signature)*

PREMIER PROPERTY PRESERVATION, LLC
ANGELO VARSOBIA

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Jan 11th 2023 (DATE)

By Angelo Varsobia

NOTARY PUBLIC: [Signature]

Byeong Uk Moon
 NOTARY PUBLIC
 STATE OF NEVADA
 Appt No 22-7753-01
 My Appt Expires November 23, 2025

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



D E S I G N L A N D

712 Maxley Ct., Las Vegas, Nevada 89145

Tel. 702.665.9507

Clark County Planning & Zoning
500 S Grand Central Pkwy #1,
Las Vegas, NV 89155
Phone: 248.867.0535

**PLANNER
COPY**
WS-23-0439

April 27, 2023

Re: WAIVER OF STANDARDS

Standard: Landscaping and Sidewalk

Request: We are requesting to not construct sidewalk and landscaping along
Duneville and Ponderosa

Justification: This request is to clarify conflicting conditions between the original
zone and the subsequent entitlement approvals. Per Title 30 we are required to
install detached sidewalk and landscaping. Our waiver for this project was approved
and conditioned us to provide rural street improvements.

Thank you for the opportunity to submit this application for your review. Please
contact me at 702.665.9507 if you have any questions.

Sincerely,

Ben Torrella, PE
Principal

09/06/23 BCC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

FORT APACHE RD/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0409-P S I OQUENDO LLC:

ZONE CHANGE to reclassify 4.2 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-3 (Multi-Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce driveway throat depth for a call box; and 3) reduce driveway distance from an intersection.

DESIGN REVIEWS for the following: 1) for a multi-family residential development; and 2) finished grade.

Generally located on the west side of Fort Apache Road and the north side of Oquendo Road within Spring Valley (description on file). JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

163-31-501-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 38 feet where a maximum of 35 feet is permitted per Table 30.40-3 (a 8% increase).
2. Reduce the driveway throat depth for a call box on Fort Apache Road to 82 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 18% reduction).
3. Reduce the departure distance from a driveway to a street intersection to 137 feet along Oquendo Road where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 28% reduction).

DESIGN REVIEWS:

1. A multi-family residential development.
2. Increase finished grade to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.2
- Number of Units: 60
- Density (du/ac): 14.2
- Project Type: Multi-family residential development
- Number of Stories: 3
- Building Height (feet): 38
- Open Space Required/Provided: 12,000/39,669
- Parking Required/Provided: 146/154

Site Plan

The plans depict a gated 60 unit, multi-family complex, distributed among 9, three story buildings. More specifically, the development is made up of 6-plex, and 8-plex buildings with 2 car garages (this will not be a townhome development). The multi-family buildings are designed with the front garages facing the street. The development will be served by 26 foot wide drive aisles with the main point of ingress/egress to the east from Fort Apache Road. There will also be an exit only gate to the south along Oquendo Road. The setbacks of the buildings are as follows: 20 feet to the west property line; 25 feet to the north property line; 25 feet to the east property line (Fort Apache Road); and 25 feet to the south property line (Oquendo Road). A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, recreational pool area with BBQ, play structure, and a dog park. Parking will consist of garage parking for residents and designed surface off-street parking for visitors. Approximately 34 parking spaces are shown for the visitors and 120 parking spaces are provided for the residents. The plans also depict that the finished grade of the site will be increased up to 6 feet and is necessary to fill ravines within the site.

Landscaping

Street landscaping consists of a 20 foot wide area, which includes a 5 foot wide detached sidewalk along Fort Apache Road and Oquendo Road. A 15 foot wide landscape buffer (per Figure 30.64-12) is provided along the west property line adjacent to an R-3 compact lot single family development. Near the center of the site, the plan shows a recreational area with a pool, seating area and BBQ. Additionally, at the southwest corner of the development is a playground area and at the northwest corner is a dog park. The development requires 12,000 square feet of open space where 39,669 square feet of open space is provided. A 6 foot high decorative fence is proposed along the east and south property lines adjacent to the public street frontage.

Elevations

The proposed architecture for the project is a plex building design with 1 elevation. All buildings will have unified and consistent architecture. The building materials generally consist of stucco siding with pop-out elements and additional facade relief on select portions of the horizontal planes. Decorative window variations and brick accents are featured on all elevations,

in addition to wrought iron railings utilized for the patios and second story deck areas. The clubhouse will be 11 feet in height and will match the architecture of residential buildings.

Floor Plans

The square footage of the units will range between 1,531 square feet to 2,330 square feet. The first level is an enclosed garage with living space on the balance of the first level and on the second and third levels. The unit mix is as follows: 42, two bedroom units and 18, three bedroom units.

Applicant's Justification

The applicant indicates the proposed density is approximately 14 dwelling units per acre. As such, the corresponding R-3 zoning is allowed in the land use category for Compact Neighborhood. Immediately to the west is an existing R-3 development and farther north are existing R-3 and R-4 developments on Russell Road. The applicant further states that the increase in building height is a minor request and appropriate for the following reasons: 1) each floor is approximately 9 feet in height; 2) parapets to hide mechanical units and therefore provide an enhanced architectural feature; and 3) the slight increase in height is not for residential use but rather an architectural enhancement.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1464-02	Reclassified this site to C-1 and C-2 zoning for a shopping center	Approved by BCC	January 2003

Surrounding Land Use

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

The subject site and surrounding area are within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-23-0410	A request to vacate patent easements and right-of-way on this site is a companion item of 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 request is consistent and compatible with existing land uses in the area and the request conforms to most goals in the Master Plan. The zone change request conforms to the Spring Valley Land Use Plan which designates this site as Compact Neighborhood for densities up to 18 dwelling units per acre. The proposed project will have a density of 14.2 dwelling units per acre. The zone change request will provide an appropriate transition between the commercial development along Fort Apache Road and the compact single family residential development farther to the west. The request complies with Housing Policy 2 of the Master Plan to promote a mix of housing types that meet the diverse needs of the community. Therefore, staff can support this portion of the request; however, staff is concerned with the scale and intensity of the layout of the project adjacent to the existing development to the west.

Waivers of Development Standards

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

Waivers of Development Standards #1

Staff does not have an objection to the increased building height as it should have minimal impact on the surrounding land uses. The increased building height is necessary to hide mechanical units and is not for habitable area; however, since staff does not support design review #1, staff cannot support the waiver.

Design Review #1

Staff finds that the design of the multi-family complex complies with Urban Land Use Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences, varied rooflines, and/or architectural enhancements on all sides. The design of the proposed development is effective for both pedestrian and vehicular safety and could be compatible with the surrounding residential and commercial development within the area. However, even though most of the elements of the design review of this project are compatible with the adjacent land use, the layout of the buildings does not comply with County goals which states that multiple family developments should be compatible with adjoining land uses through proper site planning and sensitivity to building placement. This development proposes all 8-plex buildings to be located along the west property line adjacent to single family homes which results in a project that will have building massing next to existing single family residences. Therefore, staff finds the applicant has not established that the proposed layout is appropriate to merit approval of the design review. Additionally, staff also recommends that the proposed multi-family buildings along the west property line be limited to 6-plexes and 35 feet in height which are adjacent to existing 2 story homes.

Public Works - Development Review

Waiver of Development Standards #2

Although the throat depth distance to the call box does not comply with the minimum standard, the applicant has placed the gates farther into the site, which will provide more room for vehicles to exit the right-of-way reducing stacking in the right-of-way to avoid collisions. Therefore, staff has no objection to this request.

Waiver of Development Standards #3

Staff has no objection to the reduction in the departure distance for the Oquendo Road commercial driveway. The driveway is exit only and has been placed as far west as the site will allow.

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 of the zone change, waivers of development standards #2 and #3, and design review #2; denial of waiver of development standards #1 and design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Up to 6-plex buildings along west property line;
- No buildings higher than 35 feet along western property line;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the

waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- 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 25 feet to the back of curb for Oquendo Road.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- 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 #0364-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: PARTING SEAS INVESTMENTS, LLC
CONTACT: KÄEMPFER CROWELL, 1980 FESTIVAL PLAZA DR, SUITE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

20

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p><input checked="" type="checkbox"/> CONFORMING (ZC)</p> <p><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 checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(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>20.23-0409</u> DATE FILED: <u>7-5-23</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-8-23</u></p> <p>PC MEETING DATE: <u> </u> C-1/C-2 to R-3</p> <p>BCC MEETING DATE: <u>9-6-23</u> Compact Neighborhood</p> <p>FEE: <u>\$2,200.00</u> JJ 20.1464-02</p>
	PROPERTY OWNER	<p>NAME: <u>PSI Ogavendo LLC</u></p> <p>ADDRESS: <u>6161 S Rainbow Blvd</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-990-5358</u> CELL: <u> </u></p> <p>E-MAIL: <u>Admin@partingseas.com</u></p>
	APPLICANT	<p>NAME: <u>Parting Seas Investments, LLC</u></p> <p>ADDRESS: <u>6161 S Rainbow Blvd</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-990-5358</u> CELL: <u> </u></p> <p>E-MAIL: <u> </u> REF CONTACT ID #: <u> </u></p>
	CORRESPONDENT	<p>NAME: <u>Kaempfer Crowell-Jennifer Kazovich</u></p> <p>ADDRESS: <u>1980 Festival Plaza Dr #650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7098</u></p> <p>E-MAIL: <u>apiercenkcnv1law.com</u> REF CONTACT ID #: <u>164674</u></p>

ASSESSOR'S PARCEL NUMBER(S): 163-31-501-019

PROPERTY ADDRESS and/or CROSS STREETS: Fort Apache and Ogavendo

PROJECT DESCRIPTION: Zone change and design review for multi-family Dev

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) PSI Ogavendo, LLC appt No. 22-5A

STATE OF Nevada COUNTY OF Clark exp. 2/23/26 80-01

SUBSCRIBED AND SWORN BEFORE ME ON June 22, 2022 (DATE)

By [Signature]

NOTARY PUBLIC: Nolite Ebro

NOELLE EBRO
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 22-5488-01
MY APPT. EXPIRES FEBRUARY 23, 2026

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

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

KAEMPFER

CROWELL

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
D: 702.792.7050

June 12, 2023

VIA ELECTRONIC UPLOAD

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

20-23-0409

**Re: Revised Justification Letter – Conforming Zone Change; Design Reviews for (1) Multifamily Development and (2) Increase Grade; Waiver of Development Standards for (1) Reduce Departure Distance, (2) Reduce Distance to Call Box, and (4) Increase Building Height and Vacation of Excess Right of Way; and Vacation of Right of Way and Easements
APN: 163-31-501-019 (NWC of Fort Apache Road/Oquendo Road)**

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The Applicant is proposing to develop a multifamily development consisting of six and eight-plex buildings on property located at the northwest corner of Fort Apache Road and Oquendo Road, more particularly described as APN: 163-31-501-019 (the "Site"). The Site is approximately 4.2 acres. In addition to the design review for the development, the Applicant is requesting a conforming zone change and related waivers of development standards.

CONFORMING ZONE CHANGE

The Site's master plan is Compact Neighborhood (CN). A CN master plan contemplates residential density of up to 18 dwelling units per acre. The project's proposed density is approximately 14 dwelling units per acre. As such, the corresponding zoning district is R-3. R-3 is an allowed zoning district in the CN master plan. Hence, the Applicant's request to change the existing zoning of C-1 and C-2 to R-3 conforms to the master plan.

In addition to conformance of the master plan, the zone change to R-3 is appropriate for the following reasons:

- Immediately to the west is an existing zoned and developed R-3 development.
- Immediately to the north, along Russell Road, are developed and zoned R-3 and R-4 developments.
- An R-3 development is not any more intense than the existing C-1 and C-2 zoning.

Therefore, the zone change request to R-3 not only conforms to the master plan but is also compatible to the existing development of the area.

DESIGN REVIEWS

- **Multifamily Development:**

The Applicant is proposing to develop 60 units within nine (9) different buildings. The buildings either contain six or eight units. The building height is 38-feet and three stories. The first level is an enclosed garage with living space on the balance of the first level and on the second and third levels. The unit mix is as follows: 42 two-bedroom units and 18 three-bedroom units. The square footage of the units will range between 1,531 square to 2,330 square feet. The building elevations are highly articulated with stone veneer wrapping around the first level and with stucco and metal paneling and pergolas on the remaining portions of the elevations.

The Site is accessed from Fort Apache Road. At the entrance is the office/clubhouse. The proposed development is gated with residential access gates located to the north and south of the main entrance. There is complete circulation around the Site, with an exit-only gate to Oquendo Road. Additionally, as required, the Site provides detached sidewalks along Fort Apache Road and Oquendo Road. On site amenities include office/clubhouse with additional outdoor amenities including a pool and BBQ area along with a separate playground area and a dog park. The Site is meeting parking by providing 154 parking spaces where 146 parking spaces are required.

- **Increase Grade:**

The Applicant is requesting to increase the grade to a maximum of 6'0" where 36-inches is allowed. The Site generally slopes from west to east and the increase in grade is necessary to fill ravines within the Site. By filling the ravines, the Applicant can balance the Site.

WAIVERS OF DEVELOPMENT STANDARDS

- **Departure Distance Waiver:**

The Applicant is requesting to reduce the departure distance along Oquendo Road to 137 feet where 190 feet is required per CCAUSD DWG No. 222.1 1 of 2 (27.89% reduction). This request to reduce the departure distance is necessary due to the shallow depth of the lot in order to allow the driveway to be located along Oquendo Road; however, the requested reduction will not impact Oquendo Road due to this driveway being utilized as exit only.

- **Call Box Waiver:**

The Applicant is requesting to reduce the distance to the call box to 82 feet where 100 feet is required per CCAUSD DWG No. 222.1 2 of 2 (18% reduction). This request to reduce the call box depth is necessary due to the shallow depth of the lot; however, the requested reduction will not impact Fort Apache as additional room is allowed for stacking on the site because of the location of the gates which are not located right after the call box. The design of the primary entry into the Site consists of

two gates that are located north and south of the call box area which provides additional queuing for both the ingress and egress sides of the gate.

- **Increase Building Height:**

The Applicant is requesting to increase the building height to 38-feet where 35-feet is allowed in the R-3 zoned district. The minor request to increase building height is appropriate for the following reasons: (1) each floor is approximately 9' in height; (2) parapets to hide mechanical units and therefore provide an enhanced architectural feature; and (3) the slight increase in height is not for residential use but rather an architectural enhancement.

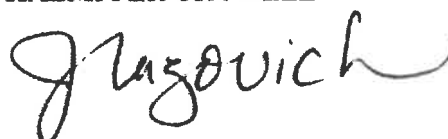
- **Vacation of Right of Way**

Per Public Works, the Applicant is seeking to vacate excess right of way that exists due to providing a detached sidewalk along Fort Apache Road and Oquendo Road. The Applicant is also requesting to vacate the existing 33' perimeter patent easements.

We thank you in advance for your time and consideration of the application. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/mkr

21

09/06/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

FORT APACHE RD/OQUENDO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0410-P S I OQUENDO, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Farmland Street, and between Oquendo Road and Russell Road and portion of a right-of-way being Fort Apache Road located between Oquendo Road and Russell Road; and portion of a right-of-way being Oquendo Road located between Fort Apache Road and Farmland Street within Spring Valley (description on file). JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

163-31-501-019

LAND USE PLAN:

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

The plans show the vacation and abandonment of patent easements located on the perimeter of the subject parcel, excepting out the dedication for public right-of-way. Additionally, the plans show the vacation and abandonment of a 5 foot wide portion of the west side of Fort Apache Road and the north side of Oquendo Road to accommodate a detached sidewalk in conjunction with a proposed multi-family development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1464-02	Reclassified this site to C-2 zoning for a shopping center	Approved by BCC	January 2003

Surrounding Land Use

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Corridor Mixed Use	R-2	Single family residential development
West	Compact Neighborhood (up to 18 du/ac)	R-3	Single family residential development

Related Applications

Application Number	Request
ZC-23-0409	A zone change request to reclassify this site to R-3 zoning for a multiple family residential development is a companion item of this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Oquendo Road;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PARTING SEAS INVESTMENTS, LLC

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

21

APPLICATION TYPE

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

DEPARTMENT USE

APP. NUMBER: VS. 23. 0410 DATE FILED: 7-5-23
 PLANNER ASSIGNED: RK
 TAB/CAC: Spring Valley TAB/CAC DATE: 8-8-23
 PC MEETING DATE: — R-3
 BCC MEETING DATE: 9-6-23 Compact Neighborhood
 FEE: \$ 875.00 JJ ZC. 1464-02

PROPERTY OWNER

NAME: PSI Ogavendo, LLC
 ADDRESS: 4141 S. Rainbow Blvd.
 CITY: Las Vegas STATE: NV ZIP: 89110
 TELEPHONE: _____ CELL: _____
 E-MAIL: _____

APPLICANT

NAME: Parting Seas Investments, LLC
 ADDRESS: 4141 S. Rainbow Blvd
 CITY: Las Vegas STATE: NV ZIP: 89110
 TELEPHONE: (702) 990-5350 CELL: _____
 E-MAIL: Admin@partingseas.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Kaempfer Crowell - Jennifer Lazovich
 ADDRESS: 1980 Festival Plaza Dr #650
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-792-7040 CELL: 702-792-7000
 E-MAIL: apercep@kenlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 163-31-501-019

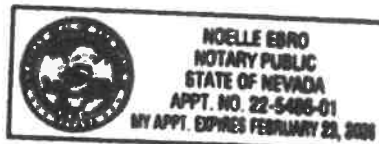
PROPERTY ADDRESS and/or CROSS STREETS: Ft. Apache & Ogavendo

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 make 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.

Jason Matalon
 Property Owner (Signature)*

PSI Ogavendo, LLC
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN TO before me on September 9, 2022 (DATE)
 by Noelle Ebro
 NOTARY PUBLIC: Noelle Ebro upst No. 22-5486-01



exp. 2/23/26

*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



JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
D: 702.792.7050

June 12, 2023

VIA ELECTRONIC UPLOAD

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

V 5-23-0410

**Re: Revised Justification Letter – Conforming Zone Change; Design Reviews for (1) Multifamily Development and (2) Increase Grade; Waiver of Development Standards for (1) Reduce Departure Distance, (2) Reduce Distance to Call Box, and (4) Increase Building Height and Vacation of Excess Right of Way; and Vacation of Right of Way and Easements
APN: 163-31-501-019 (NWC of Fort Apache Road/Oquendo Road)**

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The Applicant is proposing to develop a multifamily development consisting of six and eight-plex buildings on property located at the northwest corner of Fort Apache Road and Oquendo Road, more particularly described as APN: 163-31-501-019 (the "Site"). The Site is approximately 4.2 acres. In addition to the design review for the development, the Applicant is requesting a conforming zone change and related waivers of development standards.

CONFORMING ZONE CHANGE

The Site's master plan is Compact Neighborhood (CN). A CN master plan contemplates residential density of up to 18 dwelling units per acre. The project's proposed density is approximately 14 dwelling units per acre. As such, the corresponding zoning district is R-3. R-3 is an allowed zoning district in the CN master plan. Hence, the Applicant's request to change the existing zoning of C-1 and C-2 to R-3 conforms to the master plan.

In addition to conformance of the master plan, the zone change to R-3 is appropriate for the following reasons:

- Immediately to the west is an existing zoned and developed R-3 development.
- Immediately to the north, along Russell Road, are developed and zoned R-3 and R-4 developments.
- An R-3 development is not any more intense than the existing C-1 and C-2 zoning.

Therefore, the zone change request to R-3 not only conforms to the master plan but is also compatible to the existing development of the area.

DESIGN REVIEWS

- **Multifamily Development:**

The Applicant is proposing to develop 60 units within nine (9) different buildings. The buildings either contain six or eight units. The building height is 38-feet and three stories. The first level is an enclosed garage with living space on the balance of the first level and on the second and third levels. The unit mix is as follows: 42 two-bedroom units and 18 three-bedroom units. The square footage of the units will range between 1,531 square to 2,330 square feet. The building elevations are highly articulated with stone veneer wrapping around the first level and with stucco and metal paneling and pergolas on the remaining portions of the elevations.

The Site is accessed from Fort Apache Road. At the entrance is the office/clubhouse. The proposed development is gated with residential access gates located to the north and south of the main entrance. There is complete circulation around the Site, with an exit-only gate to Oquendo Road. Additionally, as required, the Site provides detached sidewalks along Fort Apache Road and Oquendo Road. On site amenities include office/clubhouse with additional outdoor amenities including a pool and BBQ area along with a separate playground area and a dog park. The Site is meeting parking by providing 154 parking spaces where 146 parking spaces are required.

- **Increase Grade:**

The Applicant is requesting to increase the grade to a maximum of 6'0" where 36-inches is allowed. The Site generally slopes from west to east and the increase in grade is necessary to fill ravines within the Site. By filling the ravines, the Applicant can balance the Site.

WAIVERS OF DEVELOPMENT STANDARDS

- **Departure Distance Waiver:**

The Applicant is requesting to reduce the departure distance along Oquendo Road to 137 feet where 190 feet is required per CCAUSD DWG No. 222.1 1 of 2 (27.89% reduction). This request to reduce the departure distance is necessary due to the shallow depth of the lot in order to allow the driveway to be located along Oquendo Road; however, the requested reduction will not impact Oquendo Road due to this driveway being utilized as exit only.

- **Call Box Waiver:**

The Applicant is requesting to reduce the distance to the call box to 82 feet where 100 feet is required per CCAUSD DWG No. 222.1 2 of 2 (18% reduction). This request to reduce the call box depth is necessary due to the shallow depth of the lot; however, the requested reduction will not impact Fort Apache as additional room is allowed for stacking on the site because of the location of the gates which are not located right after the call box. The design of the primary entry into the Site consists of

two gates that are located north and south of the call box area which provides additional queuing for both the ingress and egress sides of the gate.

- **Increase Building Height:**

The Applicant is requesting to increase the building height to 38-feet where 35-feet is allowed in the R-3 zoned district. The minor request to increase building height is appropriate for the following reasons: (1) each floor is approximately 9' in height; (2) parapets to hide mechanical units and therefore provide an enhanced architectural feature; and (3) the slight increase in height is not for residential use but rather an architectural enhancement.

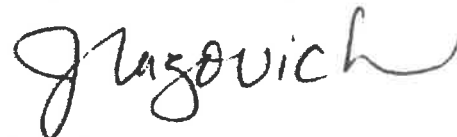
- **Vacation of Right of Way**

Per Public Works, the Applicant is seeking to vacate excess right of way that exists due to providing a detached sidewalk along Fort Apache Road and Oquendo Road. The Applicant is also requesting to vacate the existing 33' perimeter patent easements.

We thank you in advance for your time and consideration of the application. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/mkr

09/06/23 BCC AGENDA SHEET

RETAIL/OFFICE
(TITLE 30)

RAINBOW BLVD/PALMYRA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0431-S D M I RAINBOW, LLC:

ZONE CHANGE to reclassify 2.8 acres from an R-E (Rural Estates Residential) to a C-P (Office & Professional) Zone.

USE PERMITS for the following: 1) retail as primary use; and 2) restaurant as primary use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) permit access to a local street (Palmyra Avenue); 2) landscaping; 3) modified driveway design standards; and 4) increased wall height.

DESIGN REVIEW of a commercial center.

Generally located on the northwest corner of Rainbow Boulevard and Palmyra Avenue within Spring Valley (description on file). JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

163-10-707-011

USE PERMITS:

1. a. Allow retail use as primary use where retail for service to the general public is not allowed per Table 30.44-1.
- b. Allow exterior advertising for retail uses where not permitted by code per Table 30.44-1.
- c. Allow 6,400 square feet of retail uses where 2,000 square feet is permitted by code per Table 30.44-1 (a 220% increase).
2. a. Allow restaurant use as a primary use where a restaurant for service to the general public is not allowed per Table 30.44-1.
- b. Allow exterior advertising for restaurant uses where not permitted by code per Table 30.44-1.
- c. Allow 3,600 square feet of restaurant as a primary use where 2,000 square feet is permitted by code per Table 30.44-1 (a 180% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit a commercial development to have access to a local street (Palmyra Avenue) where not permitted per Table 30.56-2.
2. a. Allow alternate landscaping along Palmyra Avenue where 15 feet of landscaping is required behind an attached sidewalk per Section 30.64.030.

- b. Allow alternate landscaping for medium size trees with 30 foot spacing along Palmyra Avenue where large trees every 30 feet are required per Section 30.64.030.
 - c. Allow alternate landscaping for medium size trees with 30 foot spacing along Rainbow Boulevard where large trees every 30 feet are required per Section 30.64.030.
 - d. Allow alternate landscaping for medium size trees adjacent to a less intense use where large evergreen trees are required per Figure 30.64-11.
3.
 - a. Reduce the egress throat depth of the Rainbow Boulevard driveway to 26 feet where 100 feet is required by Uniform Standard Drawing 222.1 (a 74% reduction).
 - b. Reduce the ingress throat depth of the Rainbow Boulevard driveway to 74 feet where 100 feet is required by Uniform Standard Drawing 222.1 (a 26% reduction).
 - c. Reduce the egress throat depth of the Palmyra Avenue driveway to 43 feet where 100 feet is required by Uniform Standard Drawing 222.1 (a 57% reduction).
 - d. Reduce the ingress throat depth of the Palmyra Avenue driveway to 97 feet where 100 feet is required by Uniform Standard Drawing 222.1 (a 3% reduction).
 - e. Reduce the departure distance on Palmyra Avenue to 156 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 22% reduction).
 4. Increase the screen wall height to 8 feet where 6 feet is the maximum allowed per Figure 30.64-11 (a 33% increase).

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.8
- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): 28 Building A/ 25 Building B
- Square Feet: 10,000 building A (3,600 restaurant and 6,400 retail)/16,000 building B
- Parking Required/Provided: 116 (per shared parking table)/117

Site Plan

The site plan depicts a 2.8 acre parcel with one 16,000 square foot office building on the north side of the property, and a 10,000 square foot retail and restaurant building on the south side of the property. Both buildings are oriented to the center of the parcel and internal parking area. The narrow sides of each building face west towards the existing residential properties and east facing Rainbow Boulevard. There are 117 parking spaces being provided at the interior of the property between the buildings and along the west property line. A shared parking table is provided to justify the less than 130 spaces provided as required by the shopping center parking

requirement. Access to the site is from Rainbow Boulevard 220 feet north of Palmyra Avenue, and a Palmyra Avenue driveway located 160 feet west of Rainbow Boulevard. A drive through is shown with an entrance at the west side of the south building, extending around the south side of the building with an exit on the east side of the building. The entrance to the drive through is approximately 112 feet from the south property line. The measured throat depths for this part of the parking lot are between 43 and 97 feet and are the subject of a waiver request with this application. Trash enclosures are located 114 feet east of the west property line. Two loading zones are located 91 feet east of the west property line.

Landscaping

The landscape plan depicts attached sidewalks along Palmyra Avenue and Rainbow Boulevard with landscaping along Palmyra between a 10 foot and 13 foot width. The existing Nevada Power easement allows for only 12 trees that will not be offset along Rainbow Boulevard. A 15 foot wide landscape area is located behind the attached sidewalk along Rainbow Boulevard. Parking lot landscaping is provided on the interior areas of the property, including landscape planters on the south side of the northern office building. Landscaping adjacent to a less intense use is provided along the west side of the property, including 22 (24 inch) trees in a 10 foot wide landscape buffer that will include an 8 foot high decorative screen wall. An 8 foot screen wall is shown on the north property line.

Elevations

The elevations depict building A and building B with similar exterior treatments and a flat roof. Each building has stucco wall finishes, architectural tile veneer, CMU, painted metal strips, and low E glazing glass entryways.

Floor Plans

The floor plan for building A on the north side of the property depicts a 16,000 square foot building split between a 9,165 square foot medical office suite, and 6,000 square foot office suite. Building B plans depict a 10,000 square foot building with 4 retail suites ranging between 1,710 square feet and 3,600 square feet. The 3,600 square foot suite is designated as a drive through restaurant and includes a service window on the east side of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting to develop 2 buildings on 2.8 acres with a rezoning from R-E to C-P in the Neighborhood Commercial planned land use category. The proposed zone change is considered a conforming zone change as the C-P zone district is one of the compatible zone districts for this land use category. The land to the north and southeast of this property is zoned C-P with a planned land use designation of neighborhood commercial. The property located south of Palmyra Avenue is a place of worship and designated as Public Use, planned land use. The R-E (RNP-I) properties to the east do not have direct access from Rainbow Boulevard. Three R-E (RNP-I) homes are located immediately adjacent on the west side of this property. Two voluntary neighborhood meetings were held in December and January to allow neighbors to consider the development. There are 117 parking spaces being provided where 116 are required

as a result of a shared parking analysis that was completed for this property. Eight foot high covered parking spaces are shown at the northwest corner of the site. Trash enclosures are located 114 feet from the west property line. Two loading zones are located 91 feet from the west property line. An 8 foot high decorative screen wall is proposed along the west property line in response to neighbor comments.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0005-11	Communication tower	Approved by BCC	April 2011

Surrounding Land Use

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

Related Applications

Application Number	Request
TM-23-500090	A tentative map for 1 lot commercial subdivision is a companion item on this agenda.
VS-23-0432	A request to vacate an easement along Palmyra Avenue 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**

The property is designated as neighborhood commercial and C-P zoning with allowed uses is consistent with this land use designation. Clark County Master Plan Countywide Policy 1.5.2 and Spring Valley Policy SV-1.1 encourage contiguous and uniform suburban neighborhoods that encourage compatible infill development and standards for transition to higher density uses. These policies encourage appropriate density and intensity adjacent to RNP lands and include orientation of buildings and compatible uses. While the allowed uses in a C-P zone district are compatible with RNP lands, the special uses listed in this zone district may not be compatible. Staff does not object to the rezoning to C-P.

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must

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

The property on the south side of this property is currently used as a place of worship with 2 driveways accessing Palmyra Avenue. A restaurant with drive through is not compatible with R-E (RNP-I) zoned property, when considering the additional traffic and noise. The retail and restaurant with drive through are more likely to create additional increases to east and west bound traffic on Palmyra Avenue between Buffalo Drive and Rainbow Boulevard when compared to less intense allowed office uses. A potential increase in neighborhood traffic could be realized by customers using Rosana Street to travel west bound on Desert Inn Road or to continue west on Palmyra to Tenaya Way or even Buffalo Drive. The properties located west of this site are elevated above the subject property and will not be adequately screened from the more intense uses, light, or noises associated with the retail and restaurant uses. Exterior advertising beyond the amount required for allowed uses in C-P zone district are not compatible with the adjacent neighborhood and R-E (RNP-I) uses. Staff cannot support the use permit requests.

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 Standard #1

Access to a local street (Palmyra Avenue) could be supported for C-P allowed uses when in close proximity to RNP single family residential neighborhoods. However, staff is recommending denial of the retail and restaurant special use permit requests that would add additional traffic to the site and neighborhood. Staff cannot support the waiver request.

Waivers of Development Standards #2

Attached walks with substandard landscaping or number of trees will not adequately serve pedestrian movements, or adequately buffer the site. The decrease in landscape areas will not meet the intent of Title 30, nor will it adequately buffer the adjacent RNP neighborhood along Palmyra Avenue. Staff cannot support the waiver requests.

Waiver of Development Standards #4

Increasing the screen walls along the west property line and the north property line will provide an added level of screening of the commercial uses from the residential properties. While staff supports the intent of a higher screen wall to protect adjacent residential property, staff cannot support the use permits that are the reason for the additional wall height. We cannot support the waiver request.

Design Review

The orientation of the proposed buildings and access are appropriate for allowed uses in the C-P zone district that are adjacent to R-E (RNP-I) residential uses. The proposed density and intensity of the south building will not be compatible with the surrounding area. While staff supports the overall design of the buildings, building orientation, building materials, parking lot, and other design considerations associated with the proposed plan, we cannot support the design review with the current special use requests.

Public Works - Development Review

Waiver of Development Standards #3a, 3b, 3c, & 3d

Staff has no objection to the reduction in throat depth for the Palmyra Avenue commercial driveway and the Rainbow Boulevard driveway. The applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces. Additionally, the 2 driveways should see equal use, further mitigating potential impacts from the reduced throat depths.

Waiver of Development Standards #3e

Staff has no objection to the reduction in the departure distance for the Palmyra Avenue commercial driveway. The applicant placed the driveway as far west as the site will allow.

Staff Recommendation

Approval of the zone change, waivers of development standards #3a, #3b, #3c, #3d, and #3e; denial of the use permits, waivers of development standards #1, #2a, #2b, #2c, #2d, and #4, and the design review.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Plant large trees along west property line and along Palmyra Avenue.
- 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;
- Traffic study and compliance.

Fire Prevention Bureau

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID STEINBERG

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

DRAFT



LAND USE APPLICATION

22

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	ZC/UC/WS/DR-23-043 APP. NUMBER: _____ DATE FILED: <u>7-11-2023</u> PLANNER ASSIGNED: <u>SSR</u> TAB/CAC: <u>Springfield</u> TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: <u>9-6-2023</u> FEE: <u>\$2875</u>
	PROPERTY OWNER	NAME: <u>SDMI Rainbow LLC</u> ADDRESS: <u>7301 Peak Drive Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>davids@sdmi-lv.com</u>
	APPLICANT	NAME: <u>David Steinberg</u> ADDRESS: <u>7301 Peak Drive Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-240-1232</u> CELL: <u>N/A</u> E-MAIL: <u>davids@sdmi-lv.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT	NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-10-707-011

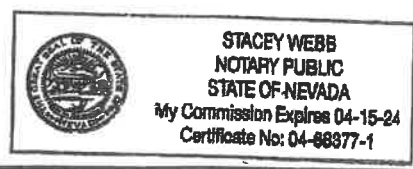
PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Boulevard and Palmyra Avenue

PROJECT DESCRIPTION: Proposed Commercial Development

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

David Steinberg
 Property Owner (Signature)* David Steinberg
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 25, 2022 (DATE)
 By David L. Steinberg
 NOTARY PUBLIC: Stacey Webb



*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-22-101143

LAW OFFICE

Brown, Brown & Premsrirut

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

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
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EMAIL: jbrown@brownlawlv.com

May 30, 2023

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

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RE: SDMI Rainbow LLC

Rainbow & Palmyra- Justification Letter – Revision 3

- **Conforming Zone Change for a proposed Commercial Development**
- **Special Use Permits for**
- **Waivers of Development Standards**
- **Design Reviews**

Assessors' Parcel Numbers: 163-10-707-011

To Whom It May Concern:

On behalf of our Client, SDMI Rainbow LLC., we respectfully submit this application package for a proposed Conforming Zone Change application package from Rural Estates Residential (R-E) zoning to Office and Professional (C-P) zoning for a proposed commercial development consisting of two buildings consisting of one office building with a Special Use permit for the second building consisting of retail uses and a restaurant with a drive through. The proposed project is located on the west side of Rainbow Boulevard and the north side of Palmyra Avenue on a total of 2.8 acres. The current zoning of the site is R-E with a designation of Neighborhood Commercial (NC) within the Spring Valley Planning. Immediately north of the proposed development is an existing medical office building in a C-P zone and designated Neighborhood Commercial (NC). To the south of the proposed development is an existing place of worship in a R-E zoned parcel and designated Public Facilities (PU) in the Master Plan. To the immediate west and southwest across Palmyra are existing single-family residences zoned R-E (Rural Estates) (RNP-1) and designated Residential Estates Neighborhood (RN) (RNP-1). East, and southeast across Rainbow Boulevard are existing single-family residences zoned R-E and designated as RN in the Master Plan and a developed office complex zoned C-P and designated (NC) in the Master Plan. Also east is a P-F zoned drainage facility designated Open Lands (OL) in the Master Plan.

Two voluntary neighborhood meetings were held on December 12, 2022, and January 17, 2023, to discuss the project with neighbors. Both meetings were held after the first Staff review comments were provided.

Project Description:

The proposed commercial center is a total of 26,000 with the two buildings oriented in an east west direction. The orientation of the building was changed because of a Public Works comment on the original location of the proposed driveway on Rainbow Boulevard and its close proximity

to the driveway for the office building to the north. The orientation of the buildings was also changed to comply with the allowable location of the driveway on Rainbow Boulevard to allow approval by the Nevada Department of Transportation (NDOT) which has jurisdiction over the right-of-way. Building A is located on the northern portion of the site and is a 16,000 square foot office building. Building B is located on the southern portion of the site, is 10,000 square feet with 6,400 square feet of retail on the western end of the building and a 3,600 square foot restaurant with a drive-through on the eastern end of the building. The plans depict two (2) access points; one located on Rainbow Boulevard and the second located on Palmyra Avenue. A total of 117 parking spaces are provided where 116 parking spaces are required with the Shared Use Parking schedule as allowed by Code for centers with more than two uses. 130 parking spaces are required when not using the Shared Use Parking schedule. Eight (8) foot high covered parking spaces are proposed along a portion of the northwestern property line west of the medical office building. Eight (8) handicap accessible spaces and four (4) bicycle spaces. The trash enclosures are located 114 feet 3 inches from the west property line and are screened and buffered by additional 7 foot wide landscape areas. Two loading zones are provided located approximately 91 feet from the west property line and are screened and buffered with additional landscaping. An up to 6 foot high block wall exists along the west property line. An eight foot high block wall is proposed along the west property line and its construction will comply with the required Code requirement.

Elevations:

Building A is up to 28 feet high to the top of the parapet. Building B is up to 25 feet high to the top of the parapet. The building materials for both buildings consist of colored E.F.I.S. wall finishes and architectural CMU. The design accents include tile veneer, painted metal awnings and strips, doors, and windows with reflective glass with low E glazing to include complementary and contrasting colors with aluminum store front doors and windows.

Floor Plans:

Building A is 16,000 square feet and includes office spaces, a medical office, and equipment areas. Building B is 10,000 square feet and includes retail areas, a restaurant with a drive-through.

Landscaping:

A 15 foot wide minimum and up 36 foot wide landscaping area with an alternative design consisting of 12 number of trees are provided along Rainbow Boulevard adjacent to the existing five (5) foot wide attached sidewalk along the east property line. Since there is a NVEnergy easement along Rainbow Boulevard and the alternative requested is to address the placement of trees within the easement. A ten (10) foot to 13 foot wide minimum landscaping area is provided along Palmyra Avenue on the south property line. There is existing six (6) foot high zone boundary wall along the west property line, an eight foot wall is proposed along the existing wall and will comply with Code requirements. A ten (10) foot wide landscape area with an intense landscaping buffer is provided along the west property line adjacent to the existing residences.

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An up to thirteen (13) foot four (4) inch wide minimum landscape area is provided along the existing six (6) foot high wall along the northern property line adjacent to the existing medical building to the north. An eight (8) foot high wall is also proposed along the north property line for consistency of design.

The following are the required applications for the project:

Conforming Zone Change:

A conforming Zone Change from an R-E zone to a C-P zone for a proposed commercial development with two buildings for the following uses: office/medical building and a commercial building.

Justification:

The request is for a conforming Zone Change to C-P zoning which complies with the Master Plan designation for the site as Neighborhood Commercial (NC) for the Spring Valley Planning area. Located immediately north of the proposed building is a C-P zoned office building designated NC in the Master Plan. West are developed R-E zoned single family residences designated as Residential Estates Neighborhood (RN) (RNP-1). South across Palmyra Avenue is an existing place of worship (Baptist Church) zoned R-E and designated in the Master Plan as Public Use (PU). East, across Rainbow Boulevard are developed single family residences zoned R-E and a developed C-P zoned office complex. The designation for the site and the developed commercial parcels in the immediate areas are designated NC and developed with similar office and or retail uses. The site is located at the intersection of a local street and an arterial street being Rainbow Boulevard which is a 120 foot wide right-of-way which is typically lined with commercial uses, zoning or planned and developed along its frontage and with some sections developed with residential developments. In this area and case, neighborhood serving uses are developed along this segment, therefore, the request is compatible with and appropriate for the area. The request for C-P zoning is for neighborhood commercial uses to serve the community and immediate area while also providing employment opportunities for the area.

The proposed zone change application is justified because the site fronts Rainbow Boulevard which is the only parcel along this segment of the street that is undeveloped. This portion of Rainbow Boulevard is developed with other community serving commercial uses such as banks, office buildings and complexes, a place of worship, and convenience store, gas station, and restaurants including the Strip View and a Dutch Bros. The proposed C-P zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services and offices uses that serve the residents of the immediate neighborhood. The required public services and infrastructure already exist in the area to support the development of the use since this is one of the few undeveloped parcels along Rainbow Boulevard between Spring Mountain Road and Sahara Avenue. The proposed zoning and uses conforms with goals and policies outlined in the Master Plan such as Countywide policy 1.5.2 and policy SV-1-1 for the Spring Valley planning area to protect neighborhood integrity with infill development that is

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compatible with adjacent developments. The request also complies with other specific Goals and pertinent policies for commercial developments including SV-1.5; SV-2.1, SV-2.2 for the Spring Valley Planning Area which indicates that this request is appropriate for and compatible with existing uses, developments and planned uses in the area.

Special Use Permits to waive the conditional use requirements for Retail and Restaurant Uses in a C-P zone:

1. Permit retail uses and a restaurant that provides service to the general public and not primarily to serve the employees of the office park.
2. Permit exterior advertising for the requested retail and restaurant uses where not permitted per Code.
3. Waive the requirement that the maximum square footage does not exceed 10% of the total square footage of the office complex; or 20% of the building area or 2,000 square feet whichever is less and allow a 10,000 square foot building with retail uses and a restaurant with drive-through.

Justification:

This request is necessary to waive the conditional use requirements and allow a building with retail uses and a restaurant in the proposed C-P zoned complex. The original application was for a C-1 zoned commercial complex with both an office building and a retail/restaurant building. In response to Staff's comments to reduce the original request to C-P zoning because of the existing C-P zoning and uses in the immediate area, the request is reduced to C-P zoning. However, similar to other C-P zoned complexes in the immediate area (Carmel Park south of the Place of Worship) and along other portions of Rainbow Boulevard, between Desert Inn Road and Sahara Avenue this project includes a request for a building with retail uses and a restaurant within the complex. By reducing the original request to a C-P zone and requesting special uses in one of the buildings overall this application is a less intense use that complies with the goals and policies outlined in the Master plan for less intense uses adjacent to existing residential neighborhoods along this section of Rainbow Boulevard. The uses requested and the design of the center reduces and mitigates any impact to the residential development to the west. The parcel fronts Rainbow Boulevard, a major arterial with high traffic volumes and noise, therefore, developing the parcel and providing screening and buffering for the site will reduce and mitigate impacts actual or preserved to the existing residential uses to the west.

Signage is not a part of this application.

Waivers of Development Standards:

1. Permit access to a local street (Palmyra Avenue).

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the area to the west. This direct access from the areas to the west is not only convenient but is a safe way to access the site without accessing Rainbow Boulevard and attempting unsafe U-turns to access or leave the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Rainbow Boulevard, which is an arterial with high volumes of traffic, is busy and with fast traffic. This additional access will help reduce the conflicts on Rainbow Boulevard. Additionally, this request is justified because the existing place of worship, which is a special use and is basically a commercial use per design standards and was allowed two access points to Palmyra. Therefore, there is an existing condition of a commercial use with access on Palmyra Avenue. The requested uses are neighborhood serving and are similar to the place of worship in terms of access, therefore, allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Rainbow Boulevard and Palmyra Avenue.

2. **Waive the required detached sidewalks along both Rainbow Boulevard and Palmyra Avenue.**

Justification:

This request is necessary because of the existing attached sidewalks on both sides of Rainbow Boulevard which ran for miles along the frontage of the right-of-way including of the subject parcel. This parcel is the only undeveloped parcel along Rainbow Boulevard from Spring Mountain Road to Edna Avenue. The developed parcels and those immediately adjacent to the parcel are developed with attached sidewalks along the street frontages; therefore, this request is appropriate to maintain the existing standards and aesthetics along the street frontage. Additionally, there is an existing 15-foot-wide NV Energy easement with an existing attached sidewalk along the frontage of the parcel, which will hinder the provision of a detached sidewalk along Rainbow Boulevard.

3. **Permit alternative landscaping (required trees) along a portion Rainbow Boulevard within an existing NV Energy easement. (Deviate from Figure 30.64-17).**

NV Energy discourages trees within power easement areas and since a 15-foot-wide easement exists along the Rainbow Boulevard frontage the proposed landscaping along the street is an alternative design to Code requirements. A total of 12, 24 inch box trees are provided along the Rainbow Boulevard frontage. The existing power easement does not allow an off-set of the trees as required by Code, but an off-set is provided along portions of the frontage where possible. The plans depict shrubs that will not impact the easement and the trees provided in area with have minimum impact to the easement. Shrubs and ground cover are provided in the area as required by Code. Even though a reduced number of trees are area provided in the easement, the landscaping provided along the north, east and west sides of the site either meet or exceed Code

requirements, therefore, compensating for the trees that are not provided in the easement area along the Rainbow Boulevard frontage.

4. Reduce the Throat Depths.

- a. **Reduce the throat depth for the driveway along Rainbow Boulevard to 74 feet (northern) where 100 feet is required.**

Justification:

This request is justified and will not have an impact on the adjacent street because two driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will be backing out of the parking stalls to impede any vehicles that enter and exit the site.

- b. **Reduce the throat depth for the driveway along Rainbow Boulevard to 26 feet 7 inches (southern) where 100 feet is required.**

Justification:

This request is justified and will not impact the adjacent street because two driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will be backing out of the parking stalls to impede any vehicles that enter and exit the site.

- c. **Reduce the throat depth for the driveway along Palmyra Avenue to 43 feet 2 inches (west) where 100 feet is required.**

Justification:

This request will not impact the adjacent street because this driveway is a secondary ingress and egress access to the site. This driveway will be used primarily by the residents to the west to enter and exit the site, therefore, minimizing impacts to Palmyra Avenue to provide the optimum on-site circulation.

- d. **Reduce the throat depth for the driveway along Palmyra Avenue to 97 feet 7 inches (east) where 100 feet is required.**

Justification:

This is a minor reduction to the required throat depth and the request will not impact the adjacent street because this driveway is a secondary ingress and egress access to the site. This driveway will be used primarily by the residents to the west to enter and exit the site, therefore, minimizing any impacts to Palmyra Avenue to provide the optimum on-site circulation.

- 5. Reduce the Departure Distance from the intersection of Rainbow Boulevard and Palmyra Avenue to 156 feet and 4 inches where 190 feet is the standard per the Standard Drawing.**

Justification:

This request is necessary because the width of the lot is 248.85 feet, therefore, any driveway on the southern portion of the site will require optimum design consideration to comply with this requirement to meet throat depth and other design and Code requirements. The location of the driveway is as far west as possible to also comply with Development Code requirements such as the required landscaping to screen and buffer the existing residences to the west. The driveway is located at the optimum location to provide a throat with the optimum ingress, egress, and circulation at the driveway to reduce vehicular conflicts and ensure safety at this area of the site. Additionally, providing landscaping to the west both allows the design of the optimum throat depth and buffer and screening for the residences to the west. A design that places the driveway zero feet from the residences to comply with the departure distance will be more egregious and will not comply with the goals and policies in the Master Plan to buffer existing residential areas adjacent to commercial uses. All Code sections, standards, goals, and policies outlined in the Master Plan must be considered in the design of projects especially with lots with shorter depths.

- 6. Increase the height of a proposed block (screen) wall (zone boundary wall) along the west and north property line to eight (8) feet where an allowable height of six (feet) is the standard.**

Justification:

This request is to provide a higher wall as requested by the homeowners to the west to screen and buffer their residences from the proposed development. The applicant has agreed to the request for the higher wall. The proposal for the new wall is also necessary because the existing block wall (zone boundary wall) along the west property line is up to six (6) feet high, old, may not be strong enough to supported additional height on top of the existing wall. An eight foot high wall is also proposed along the north property line for design consistency. Therefore, the new walls proposed along the west and north property lines will comply with Code requirements as depicted adjacent to the existing wall will provide optimum screening and buffering for the residential uses to the west.

- 7. Reduce the required landscape area adjacent to an attached sidewalk along Palmyra Avenue from 10 feet up to 13 feet where 15 foot wide area is required.**

Justification:

The minimum width of landscaping provided along Palmyra Avenue, which is a local street, is 10 to 13 feet with an attached sidewalk. This request will not have an impact on the neighbors because it is along a local street where less landscaping is provided along the

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

street frontage in the area except along the front of residences facing the street. The required landscaping is provided at other portions of the site including an intense landscape buffer is provided along the west property line. The attached sidewalk and landscape area acts as a buffer to the drive through along the southern portion of the building and the Palmyra Avenue frontage which enhances the site and area.

Design Reviews:

A commercial center consisting of two buildings; one with retail spaces and a restaurant with drive-through and an office building.

Justification:

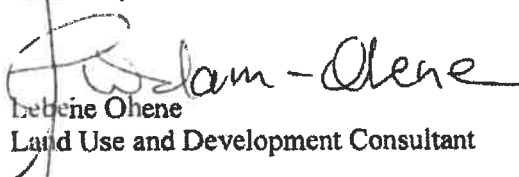
The proposed commercial center use is a community serving use with customers drawn from the immediate area. This use is an infill project on a site which is the only remaining undeveloped parcel in the half mile segment of the street frontage and the immediate area and fulfils the growth management requirements by developing on this site and maximizing the capacities of existing infrastructure and services. The proposed project conforms to the goals and policies outlined in the Master Plan such as Countywide policy 1.5.2 and policy SV-1-1 of the Spring Valley Planning area to protect neighborhood integrity with infill development that is compatible with adjacent development. Other specific goals and pertinent policies for commercial developments for the planning area include SV-1.5; SV-2.1, SV-2.2 and indicates that this request is compatible with existing uses in the area. Development of the site will also mitigate existing dust issues for the adjacent residential uses to the west. The development of the site will not require more than 36 inches of fill for the finish grade for either the site or buildings. The submitted cross section indicates that the finished grade is lower than the standard allowed by Code.

We appreciate your review of this application and look forward to your comments to proceed with the future application process for the project.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT


Letene Ohene
Land Use and Development Consultant

PLANNER
COPY

23

09/06/23 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

RAINBOW BLVD/PALMYRA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0432-S D M I RAINBOW, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street, and between Coley Avenue and Palmyra Avenue within Spring Valley (description on file). JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:
163-10-707-011

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The applicant is proposing to vacate an easement on the north side of Palmyra Avenue between Rainbow Boulevard and Rosanna Street. The 850 square foot triangle shaped access right-of-way easement area is no longer needed.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0005-11	Communication tower	Approved by BCC	April 2011

Surrounding Land Use:

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Offices
South	Public Use	R-E	Place of Worship
East & West	Ranch Estate Neighborhood (up to 2.0u/ac)	R-E (RNP-I)	Single family residential

Related Applications

Application Number	Request
ZC-23-0431	A zone change to reclassify from R-E to C-P zoning with use permits for retail/restaurant, driveway geometrics, and wall height is a companion item on this agenda.
TM-23-500090	A tentative map for 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 a portion of a Resolution Relative to Acquisition of Rights-of-way that is 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 to ensure that the right-of-way line is at the back of sidewalk.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID STEINBERG

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

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

23

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0432</u> DATE FILED: <u>7-11-2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-8</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9-6-2023</u> FEE: _____
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PROPERTY OWNER	NAME: <u>SDMI Rainbow LLC</u> ADDRESS: <u>7301 Peak Drive, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-240-1232</u> CELL: <u>702-595-3388</u> E-MAIL: <u>davids@sdmi-lv.com</u>
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APPLICANT	NAME: <u>David Steinberg</u> ADDRESS: <u>7301 Peak Drive, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-240-1232</u> CELL: <u>702-595-3388</u> E-MAIL: <u>davids@sdmi-lv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Brown Brown & Premsrirut Law Office</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-589-1409</u> CELL: _____ E-MAIL: <u>lohene@brownlawlv.com</u> REF CONTACT ID #: _____
---------------	--

ASSESSOR'S PARCEL NUMBER(S): 163-10-707-011

PROPERTY ADDRESS and/or CROSS STREETS: NWC of Palmyra and Rainbow

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.

David Steinberg

 Property Owner (Signature)*

Dr. David Steinberg

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON April 4, 2023 (DATE)
 By David Steinberg
 NOTARY PUBLIC: Mary Ironside



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

LAW OFFICE

Brown, Brown & Premsrirut

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

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

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

May 30, 2023

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

RE: SDMI Rainbow LLC

Rainbow & Palmyra- Justification Letter – Revision 3

- **Conforming Zone Change for a proposed Commercial Development**
- **Special Use Permits for**
- **Waivers of Development Standards**
- **Design Reviews**

Assessors' Parcel Numbers: 163-10-707-011

PLANNING
COPY

To Whom It May Concern:

On behalf of our Client, SDMI Rainbow LLC., we respectfully submit this application package for a proposed Conforming Zone Change application package from Rural Estates Residential (R-E) zoning to Office and Professional (C-P) zoning for a proposed commercial development consisting of two buildings consisting of one office building with a Special Use permit for the second building consisting of retail uses and a restaurant with a drive through. The proposed project is located on the west side of Rainbow Boulevard and the north side of Palmyra Avenue on a total of 2.8 acres. The current zoning of the site is R-E with a designation of Neighborhood Commercial (NC) within the Spring Valley Planning. Immediately north of the proposed development is an existing medical office building in a C-P zone and designated Neighborhood Commercial (NC). To the south of the proposed development is an existing place of worship in a R-E zoned parcel and designated Public Facilities (PU) in the Master Plan. To the immediate west and southwest across Palmyra are existing single-family residences zoned R-E (Rural Estates) (RNP-1) and designated Residential Estates Neighborhood (RN) (RNP-1). East, and southeast across Rainbow Boulevard are existing single-family residences zoned R-E and designated as RN in the Master Plan and a developed office complex zoned C-P and designated (NC) in the Master Plan. Also east is a P-F zoned drainage facility designated Open Lands (OL) in the Master Plan.

Two voluntary neighborhood meetings were held on December 12, 2022, and January 17, 2023, to discuss the project with neighbors. Both meetings were held after the first Staff review comments were provided.

Project Description:

The proposed commercial center is a total of 26,000 with the two buildings oriented in an east west direction. The orientation of the building was changed because of a Public Works comment on the original location of the proposed driveway on Rainbow Boulevard and its close proximity

An up to thirteen (13) foot four (4) inch wide minimum landscape area is provided along the existing six (6) foot high wall along the northern property line adjacent to the existing medical building to the north. An eight (8) foot high wall is also proposed along the north property line for consistency of design.

The following are the required applications for the project:

Conforming Zone Change:

A conforming Zone Change from an R-E zone to a C-P zone for a proposed commercial development with two buildings for the following uses: office/medical building and a commercial building.

Justification:

The request is for a conforming Zone Change to C-P zoning which complies with the Master Plan designation for the site as Neighborhood Commercial (NC) for the Spring Valley Planning area. Located immediately north of the proposed building is a C-P zoned office building designated NC in the Master Plan. West are developed R-E zoned single family residences designated as Residential Estates Neighborhood (RN) (RNP-1). South across Palmyra Avenue is an existing place of worship (Baptist Church) zoned R-E and designated in the Master Plan as Public Use (PU). East, across Rainbow Boulevard are developed single family residences zoned R-E and a developed C-P zoned office complex. The designation for the site and the developed commercial parcels in the immediate areas are designated NC and developed with similar office and or retail uses. The site is located at the intersection of a local street and an arterial street being Rainbow Boulevard which is a 120 foot wide right-of-way which is typically lined with commercial uses, zoning or planned and developed along its frontage and with some sections developed with residential developments. In this area and case, neighborhood serving uses are developed along this segment, therefore, the request is compatible with and appropriate for the area. The request for C-P zoning is for neighborhood commercial uses to serve the community and immediate area while also providing employment opportunities for the area.

The proposed zone change application is justified because the site fronts Rainbow Boulevard which is the only parcel along this segment of the street that is undeveloped. This portion of Rainbow Boulevard is developed with other community serving commercial uses such as banks, office buildings and complexes, a place of worship, and convenience store, gas station, and restaurants including the Strip View and a Dutch Bros. The proposed C-P zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services and offices uses that serve the residents of the immediate neighborhood. The required public services and infrastructure already exist in the area to support the development of the use since this is one of the few undeveloped parcels along Rainbow Boulevard between Spring Mountain Road and Sahara Avenue. The proposed zoning and uses conforms with goals and policies outlined in the Master Plan such as Countywide policy 1.5.2 and policy SV-1-1 for the Spring Valley planning area to protect neighborhood integrity with infill development that is

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the area to the west. This direct access from the areas to the west is not only convenient but is a safe way to access the site without accessing Rainbow Boulevard and attempting unsafe U-turns to access or leave the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Rainbow Boulevard, which is an arterial with high volumes of traffic, is busy and with fast traffic. This additional access will help reduce the conflicts on Rainbow Boulevard. Additionally, this request is justified because the existing place of worship, which is a special use and is basically a commercial use per design standards and was allowed two access points to Palmyra. Therefore, there is an existing condition of a commercial use with access on Palmyra Avenue. The requested uses are neighborhood serving and are similar to the place of worship in terms of access, therefore, allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Rainbow Boulevard and Palmyra Avenue.

2. Waive the required detached sidewalks along both Rainbow Boulevard and Palmyra Avenue.

Justification:

This request is necessary because of the existing attached sidewalks on both sides of Rainbow Boulevard which ran for miles along the frontage of the right-of-way including of the subject parcel. This parcel is the only undeveloped parcel along Rainbow Boulevard from Spring Mountain Road to Edna Avenue. The developed parcels and those immediately adjacent to the parcel are developed with attached sidewalks along the street frontages; therefore, this request is appropriate to maintain the existing standards and aesthetics along the street frontage. Additionally, there is an existing 15-foot-wide NV Energy easement with an existing attached sidewalk along the frontage of the parcel, which will hinder the provision of a detached sidewalk along Rainbow Boulevard.

3. Permit alternative landscaping (required trees) along a portion Rainbow Boulevard within an existing NV Energy easement. (Deviate from Figure 30.64-17).

NV Energy discourages trees within power easement areas and since a 15-foot-wide easement exists along the Rainbow Boulevard frontage the proposed landscaping along the street is an alternative design to Code requirements. A total of 12, 24 inch box trees are provided along the Rainbow Boulevard frontage. The existing power easement does not allow an off-set of the trees as required by Code, but an off-set is provided along portions of the frontage where possible. The plans depict shrubs that will not impact the easement and the trees provided in area with have minimum impact to the easement. Shrubs and ground cover are provided in the area as required by Code. Even though a reduced number of trees are area provided in the easement, the landscaping provided along the north, east and west sides of the site either meet or exceed Code

- 5. Reduce the Departure Distance from the intersection of Rainbow Boulevard and Palmyra Avenue to 156 feet and 4 inches where 190 feet is the standard per the Standard Drawing.**

Justification:

This request is necessary because the width of the lot is 248.85 feet, therefore, any driveway on the southern portion of the site will require optimum design consideration to comply with this requirement to meet throat depth and other design and Code requirements. The location of the driveway is as far west as possible to also comply with Development Code requirements such as the required landscaping to screen and buffer the existing residences to the west. The driveway is located at the optimum location to provide a throat with the optimum ingress, egress, and circulation at the driveway to reduce vehicular conflicts and ensure safety at this area of the site. Additionally, providing landscaping to the west both allows the design of the optimum throat depth and buffer and screening for the residences to the west. A design that places the driveway zero feet from the residences to comply with the departure distance will be more egregious and will not comply with the goals and policies in the Master Plan to buffer existing residential areas adjacent to commercial uses. All Code sections, standards, goals, and policies outlined in the Master Plan must be considered in the design of projects especially with lots with shorter depths.

- 6. Increase the height of a proposed block (screen) wall (zone boundary wall) along the west and north property line to eight (8) feet where an allowable height of six (feet) is the standard.**

Justification:

This request is to provide a higher wall as requested by the homeowners to the west to screen and buffer their residences from the proposed development. The applicant has agreed to the request for the higher wall. The proposal for the new wall is also necessary because the existing block wall (zone boundary wall) along the west property line is up to six (6) feet high, old, may not be strong enough to supported additional height on top of the existing wall. An eight foot high wall is also proposed along the north property line for design consistency. Therefore, the new walls proposed along the west and north property lines will comply with Code requirements as depicted adjacent to the existing wall will provide optimum screening and buffering for the residential uses to the west.

- 7. Reduce the required landscape area adjacent to an attached sidewalk along Palmyra Avenue from 10 feet up to 13 feet where 15 foot wide area is required.**

Justification:

The minimum width of landscaping provided along Palmyra Avenue, which is a local street, is 10 to 13 feet with an attached sidewalk. This request will not have an impact on the neighbors because it is along a local street where less landscaping is provided along the

PLANNER
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09/06/23 BCC AGENDA SHEET

COMMERCIAL SUBDIVISION
(TITLE 30)

RAINBOW BLVD/PALMYRA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500090-S D M I RAINBOW, LLC:

TENTATIVE MAP consisting of a 1 lot commercial subdivision on 2.8 acres in C-P Zone.

Generally located on the northwest side of Rainbow Boulevard and Palmyra Avenue within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:
163-10-707-011

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.8
- Number of Lots/Units: 1
- Project Type: Commercial subdivision.

The site plan depicts a 1 lot commercial development with office space and retail sales in 2 buildings. The proposed tentative map will allow the owner to divide the property as needed in the future.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0005-11	Communication tower	Approved by BCC	April 2011

Surrounding Land Use

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

Related Applications

Application Number	Request
ZC-23-0431	A zone change to reclassify from R-E to C-P zoning with use permits for retail/restaurant, driveway geometrics, and wall height is a companion item on this agenda.
VS-23-0432	A request to vacate an easement along Palmyra Avenue 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;
- Traffic study and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0162-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DAVID STEINBERG
CONTACT: CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV
89101

DRAFT



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

24

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-23-500090</u>	DATE FILED: <u>7-11-2023</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>#883</u>	TAB/CAC DATE: <u>8-8-2023</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>9-6-2023</u>	
		FEE: <u>\$ 750</u>	

PROPERTY OWNER	NAME: <u>SDMI Rainbow LLC</u>
	ADDRESS: <u>7301 Peak Drive Suite 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>davids@sdmi-lv.com</u>

APPLICANT	NAME: <u>David Steinberg</u>
	ADDRESS: <u>7301 Peak Drive Suite 200</u>
	CITY: <u>as Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>
	TELEPHONE: <u>702-240-1232</u> CELL: <u>N/A</u>
	E-MAIL: <u>davids@sdmi-lv.com</u> REF CONTACT ID #: <u>N/A</u>

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

ASSESSOR'S PARCEL NUMBER(S): 163-10-707-011

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Boulevard and Palmyra Avenue

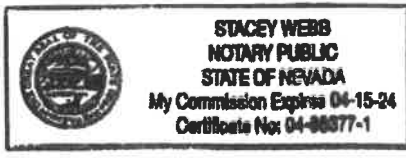
TENTATIVE MAP NAME: Rainbow & Palmyra

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.

David Steinberg
Property Owner (Signature)*

David Steinberg
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON Nov. 16, 2022 (DATE)
By David L. Steinberg
NOTARY PUBLIC: Stacey Webb



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

T 702-365-9312 | F 702-365-9317

6345 S Jones Blvd Suite 100
Las Vegas, NV 89118



April 7, 2023

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

Re: **SDMI Rainbow and Palmyra**
Lochsa Project No. 221133

Ty-23-500090

To Whom It May Concern:

Lochsa Engineering is submitting an application to vacate a portion of the existing ROW along the frontage of Palmyra Avenue (0901:0723758) per the direction of Clark County Public Works. This is in conjunction with a design review and tentative map submitted for a medical office building and retail project (Assessor's Parcel Number 163-10-707-011). The vacation of this portion of ROW is necessary for the approval of the design review and tentative map.

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

Sincerely,

A handwritten signature in cursive script that reads 'Christopher Bolton'.

Christopher J. Bolton
Project Manager

OFFICE BUILDING
(TITLE 30)

BADURA AVE/GAGNIER BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0435-IHC HEALTH SERVICES, INC.:

ZONE CHANGE to reclassify 9.3 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office & Professional) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) allow zero percent of the total property frontage be occupied by buildings; and 3) reduce driveway throat depth.

DESIGN REVIEW for an office building in the CMA Design Overlay District.

Generally located on the northeast corner of Badura Avenue and Gagnier Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
176-04-301-006 & 015

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 62 feet where a maximum of 35 feet is permitted per Table 30.40-4 (a 77.1% increase).
2. Allow zero percent of the total property frontage be occupied by buildings where a minimum of 10 percent of the frontage shall be occupied by buildings located at the building setback line or within 100 feet of the front property line per Section 30.48.640 (a 100% reduction).
3. Reduce throat depth for a driveway along Maule Avenue to 76 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 9.3
- Project Type: Office building
- Number of Stories: 3
- Building Height (feet): 62

- Square Feet: 88,700
- Parking Required/Provided: 355/358

Site Plan

The plans show an office building located approximately 144 feet from the north property line, 260 feet from the east property line, 283 feet from the south (front) property line, and 96 feet from the west property line. Loading spaces and a trash collection area are located on the northeast side of the building, and a customer drop-off area is located on the south side of the building. Access to the site is from Badura Avenue, Agilysys Way, and Maule Avenue. The eastern portion of the site will remain vacant for future development except for the access drive from Agilysys Way and perimeter street landscaping. A total of 358 parking spaces are provided to the north, west, and south of the building where a minimum of 355 spaces area required.

Landscaping

Street landscaping along Badura Avenue, Gagnier Boulevard, Maule Avenue, and Agilysys Way consists of a 15 foot wide landscape area with a detached sidewalk. Parking lot landscaping will comply with Figure 30.64-14.

Elevations

The plans depict a 3 story, 62 foot high office building. Building materials consist of concrete tilt-up panels, venetian plaster, decorative metal panel systems, stucco finish, and insulated vision glass. Horizontal and vertical architectural reveals are also incorporated into the building. The roof is flat with parapet walls at various heights, and screening is provided for rooftop mechanical equipment.

Floor Plans

The plans show an 88,700 square foot office building with 3 floors. Each floor has exam rooms and office space for various medical disciplines.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the building will be used for medical and clinical office space. Ambulatory services are not planned for the building. Healthcare services are needed in the southwest valley to keep pace with the rapid development of the area. The increase in building height is similar to other building heights in the area. Although the proposed building is not within 100 feet of the front property line, future development of the undeveloped areas could comply with this requirement. The reduced throat depth of the driveway off Maule Avenue allows for parking on the site to be maximized within the customer parking area on the south side of the building; otherwise, the building would have to be shifted southward thus increasing parking in the staff area on the north side of the building where not needed. Parking spaces are not located at the end of the driveway to minimize conflict with vehicles entering the site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & M-D	Undeveloped
South	Business Employment	M-D	Office warehouse complex
East	Business Employment	M-D	Office complex
West	Business Employment	U-V	Mixed-use development (Uncommons)

The subject site and surrounding parcels are within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-23-0436	Vacate and abandon 5 foot wide portions of right-of-way being Gagnier Boulevard and Badura Avenue and government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The request to C-P zoning conforms to the Master Plan which designates this site as Business Employment. Staff finds that the proposed zoning is consistent and compatible with the existing and approved land uses in the area. The C-P zoning will provide an appropriate transition from the U-V zoning to the west and the M-D zoning to the east and south. Furthermore, although the property to the east is zoned M-D, the site was developed as an office complex through a use permit. Therefore, staff can support this request.

Waivers of Development Standards

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

Waivers of Development Standards #1 & #2

Staff can support the increase in building height to 62 feet as other buildings in the area are of similar height. The mixed-use development (Uncommons) to the west has buildings up to 75 feet in height, while the office complex to the east has buildings up to 73 feet in height. Furthermore, the proposed building is centrally located on the site which will minimize the impact of the increased height from the street frontage and abutting properties. Staff can support not having the proposed building within 100 feet of the front property line, as future

development on the undeveloped portions of the site will have the opportunity to comply with this CMA Design Overlay District requirement.

Design Review

Staff finds that the proposed office building is compatible with the surrounding area. All sides of the building will have architectural enhancements and will be visually pleasing from all 4 perimeter streets. Pedestrian walkways are integrated throughout the site and connect with all 4 perimeter streets. The request complies with Policy 6.2.1 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses.

Public Works - Development Review

Waiver of Development Standards #3

Staff can support the request to reduce the throat depth for the commercial driveway on Maule Avenue as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

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;
- Future development on the site shall have at least one building located within 100 feet of the front property line;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water 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 review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue, 25 feet to the back of curb for Agilysys Way, 25 feet to the back of curb for Maule Avenue and associated spandrels;
- 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.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- 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 #0241-2023 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HDR

CONTACT: BENJAMIN GIRARDIN, 7373 PEAK DRIVE, SUITE 170, LAS VEGAS, NV 89128



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

25

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ZC-23-0435</u> DATE FILED: <u>7-12-23</u> PLANNER ASSIGNED: <u>GEC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-8-23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9-6-23</u> FEE: <u>\$2,200</u>
	PROPERTY OWNER NAME: <u>IHC Health Services Inc</u> ADDRESS: <u>36 South State Street Floor 21</u> CITY: <u>Salt Lake City</u> STATE: <u>UT</u> ZIP: <u>84111</u> TELEPHONE: <u>(801) 442-2000</u> CELL: <u>(385) 242-8793</u> E-MAIL: <u>Corey.Cracroft@gmail.org</u>
	APPLICANT NAME: <u>HDR</u> ADDRESS: <u>20 East Thomas Road, Suite 2500</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85012</u> TELEPHONE: <u>(602) 522-4385</u> CELL: <u>(623)5211193</u> E-MAIL: <u>shaun.salazar@hdrinc.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Benjamin Girardin</u> ADDRESS: <u>7373 Peak Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>(702) 435-4448</u> CELL: <u>(702) 429-1743</u> E-MAIL: <u>bgirardin@pgal.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 17604301006 and 17604301015

PROPERTY ADDRESS and/or CROSS STREETS: NW Corner of W Badura Ave and Agilysys Way

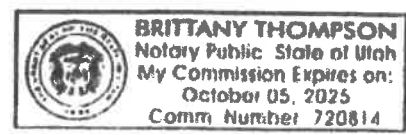
PROJECT DESCRIPTION: New 4 story medical office building with associated site development.

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

Gregory M. Johnson
 Digitally signed by Gregory M. Johnson
 Date: 2022.09.20 12:22:21 -0500
 Property Owner (Signature)*

Gregory M. Johnson
 Property Owner (Print)

STATE OF UTAH
 COUNTY OF Wasatch
 SUBSCRIBED AND SWORN BEFORE ME ON 9/20/22 (DATE)
 By [Signature]
 NOTARY PUBLIC: Brittany Thompson



*NOTE: Corporate declaration of authenticity (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.



May 24, 2023

Clark County Planning Department
500 S Grand Central Blvd
Las Vegas, NV 89155

20-23-0435

RE: Justification Letter for Intermountain Health Southwest Ambulatory Destination Center.

To whom this may concern:

ALEXANDRIA
ATLANTA
AUSTIN
BOCA RATON
CHICAGO
DALLAS/FORT WORTH
DENVER
HOBOKEN
HOUSTON
LAS VEGAS
LOS ANGELES
SALT LAKE CITY
SAN DIEGO

We are pleased to submit this 88,700 SF, 3 Level, Medical Office Building on 9.25 Acres. This project is located at the northwest corner of W Badura Avenue and Agilysys Way in the southwest portion of the valley. There are two existing parcels APN # 176-04-301-006 (5 acres) and 176-04-301-015 (4.25 acres), which will be combined during the design process of this project. Currently zoned Rural Estates Residential (R-E), the current planned land use is Business Employment (BE). We are requesting the zoning be changed to C-P, which we feel is most appropriate for the use of the building. It will primarily be medical office / clinical space. With C-P zoning, the height limitation is 35', so we are requesting a waiver to increase the height of the building to 62' to the highest element, which is the elevator machine room. The main overall height of the building is 58'-0". The building is setback 96' from the property line to the west, where there is planned residential mixed-use development and we are surrounded by commercial development of similar height on the remaining three sides.

This will be the future home of Intermountain Healthcare and will be primarily used for medical offices, clinical space. Currently, there are no ambulatory services planned for the building. Any future ambulatory uses would only be those that are allowed and classified and likely classified as a business occupancy, so no overnight stays within the building.

Site development consists of half street improvements on all four sides of the parcel(s) that have the required sidewalks, streetlights, and landscaping and will all be developed in conjunction with the project. There are (2) undeveloped areas of the site, which will be submitted separately in the future, but offsite improvements for those future areas will be constructed as part of this initial phase. Those parcels will be rough graded and stabilized for dust control until developed in the future. Parking

PGAL, LLC
7373 Peak Dr., Suite 170
Las Vegas, NV 89128

☎ 702 435 4448
☎ 702 435 4470

Jeffrey P. Gerber, AIA | Ken Brown, AIA | David L. Andrews, AIA | Paul D. Bonnette, AIA | Jefferson D. Bulla III, AIA | Dennis M. Corniskey, PE
Matthew Ellis, AIA | Samuel J. Ferreri, AIA | Beth Funk | Cheryl Gajeske, AIA | Costas Georghiou, PE | Benjamin J. Girardin, AIA
Ryan Josefovsky, PE | Sharon Lang | Michael H. Lloyd, AIA | David F. Moss, AIA | Greg Mullin, AIA | Ian A. Nestler, AIA | Iván Pire, AIA
Cris Ruebush, AIA | Derron S. Vincik, PE | Jeffrey A. Weiner, AIA

required for this initial phase is 355 spaces. Parking provided is 320 standard space and 38 ADA spaces for a total of 358 provided.

The building has enhanced elevations on all 4 sides, so there is no "backside". Colored concrete and glass are the primary exterior finish. The building design is contemporary, which is fitting for this area and the surrounding architecture. All roof top equipment is fully screened.

The building setbacks are 96' from the west property line, 144' from the north property line, 260' from the east property line, and 283' from the south. The trash is kept in the service area of the building and shielded from the public. There is not any surrounding residential, so separation of the trash from residential is not a concern.

Per Section 30.48.640.b.2 of the CMA Design Overlay District, a minimum of 10% of the total property frontage shall be occupied by a building within 100 feet of the front property line. In this current phase of the project building is set back over 100'. There are future phases of this project that could satisfy that requirement, but for the purposes of this application we are requesting to waive this requirement.

We believe that this proposed building is a great use of the vacant parcel(s) and is complimentary to the other development in the surrounding area. Healthcare services in the southwest need to keep up with the rapid development of this area, so we are requesting your support of this project. Please contact us if you have any questions or concerns that we can address prior to any public meetings.

Waiver Request:

Please see attached Waiver Request Justification from the Civil Engineer Great Basin.

Thank you,

A handwritten signature in black ink, appearing to be the initials 'BG' followed by a long horizontal stroke.

Benjamin Girardin, AIA, NCARB, LEED AP
Principal Architect

09/06/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

BADURA AVE/GAGNIER BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0436-IHC HEALTH SERVICES, INC.:

VACATE AND ABANDON easements of interest to Clark County located between Maule Avenue and Badura Avenue, and between Agilysys Way and Gagnier Boulevard; a portion of right-of-way being Gagnier Boulevard located between Maule Avenue and Badura Avenue; and a portion of right of way being Badura Avenue located between Agilysys Way and Gagnier Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:
176-04-301-006 & 015

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 33 foot wide government patent easement along the west property line and 8 foot wide government patent easements along the north and east property lines of APN 176-04-301-006. Additionally, the plans depict the vacation and abandonment of 5 foot wide portions of right-of-way being Gagnier Boulevard and the west half of Badura Avenue in order to accommodate detached sidewalks. The applicant states that the vacation and abandonment of the easements and rights-of-way will not adversely impact Clark County or the adjacent neighbors.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & M-D	Undeveloped
South	Business Employment	M-D	Office warehouse complex
East	Business Employment	M-D	Office complex
West	Business Employment	U-V	Mixed-use development (Uncommons)

Related Applications

Application Number	Request
ZC-23-0435	Zone change to reclassify the site from R-E to C-P zoning; waivers of development standards to increase building height, allow zero percent of the total property frontage be occupied buildings, and reduced driveway throat depth; and a design review for an office building is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

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 35 feet to the back of curb for Badura Avenue, 25 feet to the back of curb for Agilysys Way, 25 feet to the back of curb for Maule Avenue and associated spandrels;
- 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;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, the dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HDR

**CONTACT: BENJAMIN GIRARDIN, 7373 PEAK DRIVE, SUITE 170, LAS VEGAS, NV
89128**

DRAFT



VACATION APPLICATION

26

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		DEPARTMENT USE	APP. NUMBER: <u>VS-23-0436</u>	DATE FILED: <u>7-12-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):			PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC DATE: <u>8-8-23</u>
			TAB/CAC: <u>Spring Valley</u>	
			PC MEETING DATE: <u>-</u>	
			BCC MEETING DATE: <u>9-6-23</u>	
			FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>IHC Health Services Inc</u>
	ADDRESS: <u>36 South State Floor 21</u>
	CITY: <u>Salt Lake City</u> STATE: <u>UT</u> ZIP: <u>84111</u>
	TELEPHONE: <u>(801) 442-2000</u> CELL: <u>(358) 242-6793</u>
	E-MAIL: <u>Corey.Cracroft@imail.org</u>

APPLICANT	NAME: <u>HDR</u>
	ADDRESS: <u>20 East Thomas Road, Suite 2500</u>
	CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85012</u>
	TELEPHONE: <u>(602) 522-4385</u> CELL: <u>(623) 521-1193</u>
	E-MAIL: <u>shaun.salazar@hdrinc.com</u> REF CONTACT ID #:

CORRESPONDENT	NAME: <u>Benjamin Girardin</u>
	ADDRESS: <u>7373 Peak Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>
	TELEPHONE: <u>(702) 435-4448</u> CELL: <u>(702) 429-1743</u>
	E-MAIL: <u>bgirardin@pgal.com</u> REF CONTACT ID #:

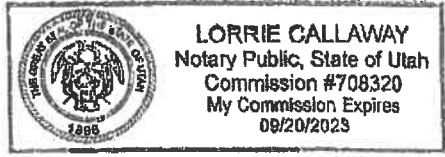
ASSESSOR'S PARCEL NUMBER(S): 17604301006 and 17604301015

PROPERTY ADDRESS and/or CROSS STREETS: NW corner of W. Badura Avenue and Agilysis Way

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.

Clay Ashdown
 Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON April 19, 2023 (DATE)
 By Clay Ashdown
 NOTARY PUBLIC: Lorrie Callaway

Clay Ashdown
 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.



May 22, 2023

Clark County Nevada
Department of Public Works
500 South Grand Central Parkway
Las Vegas, Nevada, 89155

RE: APR-22-101278 Intermountain Health Southwest Clinic Consolidation Vacation of a portion of Badura Avenue and Gagnier Boulevard Justification Letter

To Whom It May Concern,

We are petitioning Clark County to Vacate a portion of Badura Avenue dedicated in Fee per Entry # 20014200987 and Gagnier Boulevard, dedicated in fee per Entry #201909270494, Both of which were dedicated to accommodate a sidewalk adjacent to the back of curb along these sections. However, since these dedications have taken place the attached sidewalk requirement has been changed. The site located at the Northeast corner of the intersection of these two is proposed and has been directed to install detached sidewalks which are not required to be part of the public right of way. As such we have requested the 5.0 wide strips no longer needed along these two roads be vacated.

Should you have any questions, please feel free to contact us.

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

Andy Hubbard P.L.S.
Great Basin Engineering



May 22, 2023

Clark County Nevada
Department of Public Works
500 South Grand Central Parkway
Las Vegas, Nevada, 89155

RE: APR-22-101278 Intermountain Health Southwest Clinic Consolidation Vacation of a patent easement around the perimeter of Parcel Justification Letter

To Whom It May Concern,

We are petitioning Clark County to Vacate an easement created during the original conveyance from the United States Government to Mrs. Hjalmarredo, the patent owner of the Eastern portion of the current property we hold. The easement was created as a reservation to not exceed 33.00 feet for roads and public utility purposes around the perimeter of the parcel. Since this time, Clark County has master planned this area with roads which are smaller than the easement or are in a place which does not align with any other existing or planned streets. While we are asking for the entire easement to be vacated, we do not believe it will have a negative impact of Clark County and the adjacent property owners, as we will be dedicating a parcel of ground in Fee to Clark County for Badura Avenue, Agilysys Way and Maule Avenue. Which supports the current street patterns without unduly encumbering our property.

Should you have any questions, please feel free to contact us.

A handwritten signature in black ink, appearing to read 'Andy Hubbard', is written over a light blue horizontal line.

Andy Hubbard P.L.S.
Great Basin Engineering

6/12/2023

Intermountain Health Southwest Clinic

Right of Way Vacation Description

A portion of the West Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 60 East, Mount Diablo Meridian, U.S. Survey, in Clark County, Nevada.

Beginning at the intersection of the East line of said West Half and the North Right of Way line of Badura Avenue, as dedicated in that certain Dedication for a Public Street (Clark County Recorder's Office Book 20010420 as Instrument No. 00987); said point is 713.21 feet North 0°30'23" West along the Sixteenth Line and 338.23 feet North 89°49'04" East along said North Right of Way line from the Southwest Sixteenth corner of said Section 4; and running thence South 0°22'00" East 5.00 feet along the East Line of said West Half and the West Right of Way line of Badura Avenue; thence South 89°49'04" West 288.36 feet; thence North 0°10'56" West 5.00 feet to said North Right of way line of Badura Avenue; thence North 89°49'04" East 288.34 feet along said north Right of way line to the Point of Beginning.

Contains 1,442 square feet.

Together with

A portion of the West Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 60 East, Mount Diablo Meridian, U.S. Survey, in Clark County, Nevada.

Beginning at the point of curvature along the East Right of Way line of Gagnier Boulevard as dedicated in that certain Dedication in Fee (Book 20190927 as Instrument No. 00494); said point is 732.93 feet North 0°30'23" West along the Sixteenth Line and 30.00 feet North 89°29'37" East from the Southwest Sixteenth corner of said Section 4; and running thence South 89°29'37" West 5.00 feet; thence North 0°30'23" West 563.19 feet; thence North 89°29'37" East 5.00 feet to said East Right of Way line; thence South 0°30'23" East 563.19 feet along said East Right of Way line to the Point of Beginning.

Contains 2,816 square feet.

Total 4,258 square feet





6/12/2023

Intermountain Health Southwest Clinic

Right of Way Vacation Description

A portion of a 33.00 wide easement along the boundaries of the East Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 60 East, Mount Diablo Meridian, in Clark County, Nevada. (Easement was reserved in patent from the United States of America, recorded October 30, 1979, in book 1141 of official records, as instrument no. 1100054).

Beginning at a point on the West line of said East Half, which is 338.13 feet South 89°49'04" West along the South line of said East Half and 35.00 feet North 0°22'00" West from the Southeast corner of said East Half and running: thence North 00°22'00" West 613.04 feet along said West line; thence North 89°50'47" East 286.75 feet; thence South 00°09'13" East 5.00 feet to a point on a non-tangent curve to the right having a radius of 23.00 feet; thence along said arc a distance of 11.88 feet, (Central Angle equals 29°35'31" and Long Chord bears South 75°21'28" East 11.75 feet) to a point of non-tangency to the Southern Easement line along the Northern line of said East Half; thence South 89°50'47" West 265.08 feet along said Southern Easement line to the Eastern Easement line along the West line of the easement; thence South 00°22'00" East 605.02 feet along said Eastern Easement line; thence South 89°49'04" West 33.00 feet to the POINT OF BEGINNING.

Containing 22,283 square feet more or less

Together with

Beginning at a point on the Western line of the Easement along the East line of said East Half, which is 33.00 feet South 89°49'04" West along the South line of said East Half and 49.48 feet North 00°13'37" West from the Southeast corner of said East Half and running: thence North 00°13'37" West 581.79 feet to a point on a non-tangent curve to the right having a radius of 23.00 feet; thence along said arc a distance of 11.88 feet (Central Angle equals 29°35'31" and Long Chord bears South 15°01'22" East 11.75) feet to a point of non-tangency; thence North 89°46'23" East 5.00 feet; thence South 00°13'37" East 559.89 feet; thence South 89°46'23" West 5.00 feet to a point on a non-tangent curve to the right having a radius of 20.00 feet; thence along said arc a distance of 11.10 feet (Central Angle equals 31°47'18" and Long Chord bears South 15°40'02" West 10.95 feet) to the POINT OF BEGINNING.

Containing 4,524 square feet. more or less

Total 26,807square feet



