



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

October 12, 2021

6:30pm

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 chaves@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: Yvette Williams, Chair
 Rodney Bell
 Brian A. Morris
 Catherine Godges, Vice Chair
 John Getter

Secretary: Carmen Hayes (702) 371-7911 chaves@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, Roll Call, and County Staff Introductions

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

- III. Approval of Minutes for September 28, 2021. (For possible action)
- IV. Approval of the Agenda for October 12, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **NZC-21-0468-HACIENDA ASSOCIATES LP:**
ZONE CHANGE to reclassify 4.8 acres from a C-2 (General Commercial) Zone to an R-3 (Multiple Family Residential) Zone.
USE PERMIT for an attached (townhouse) planned unit development (PUD).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the area of a PUD; **2)** reduce setbacks; **3)** increase wall height; **4)** reduce width of private streets; **5)** reduce street intersection off-set; and **6)** reduce back of curb radius.
DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade in the CMA Design Overlay District. Generally located on the north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley (description on file). JJ/md/jo (For possible action) **10/19/21 PC**
 - 2. **VS-21-0469-HACIENDA ASSOCIATES LP:**
VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Diablo Drive, and between Jerry Tarkanian Way and Fort Apache Road; and a portion of a right-of-way being Russell Road located between Jerry Tarkanian Way and Fort Apache Road within Spring Valley (description on file). JJ/md/jo (For possible action) **10/19/21 PC**
 - 3. **TM-21-500139-HACIENDA ASSOCIATES LP:**
TENTATIVE MAP consisting of 84 residential lots and common lots on 4.8 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley. JJ/md/jo (For possible action) **10/19/21 PC**
 - 4. **WS-21-0471-GRAMERCY (MIXED-USE) OWNER, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow an inverted street cross section; **2)** increase the number of dwelling units accessing a private drive; **3)** reduce curb radius; **4)** reduce driveway distance; **5)** reduce throat depth; **6)** increase animated sign area; **7)** allow video messaging; and **8)** reduce setbacks.
DESIGN REVIEWS for the following: **1)** single family attached (townhouse) development; **2)** retail/restaurant; **3)** signage; and **4)** finished grade on 21.0 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action) **10/20/21 BCC**

5. **TM-21-500146-GRAMERCY (MIXED-USE) OWNER, LLC:**
TENTATIVE MAP consisting of 71 residential lots and common lots on 5.1 acres in a UV (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the north side of Oquendo Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action) **10/20/21 BCC**

6. **NZC-21-0528-GRAGSON-CACTUS HIGHLAND, LLC:**
ZONE CHANGE to reclassify 4.6 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
USE PERMIT for an attached (townhouse) planned unit development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the gross area of a planned unit development; **2)** reduce setbacks; **3)** reduce private street width; **4)** allow modified A-curb and ribbon curb with an inverted crown; **5)** reduce back of curb radii for private streets; **6)** allow modified private residential driveway design; and **7)** reduce street intersection off-set.
DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade. Generally located on the south side of Russell Road and the east side of Bonita Vista Street within Spring Valley (description on file). JJ/rk/jd (For possible action) **11/02/21 PC**

7. **VS-21-0530- GRAGSON-CACTUS HIGHLAND, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Durango Drive and Bonita Vista Street (alignment) and a portion of a right-of-way being Russell Road located between Durango Drive and Bonita Vista Street (alignment) within Spring Valley (description on file). JJ/rk/jd (For possible action) **11/02/21 PC**

8. **TM-21-500152-GRAGSON-CACTUS HIGHLAND, LLC:**
TENTATIVE MAP consisting of 78 single family residential lots and common lots on 4.6 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the south side of Russell Road and the east side of Bonita Vista Street (alignment) within Spring Valley. JJ/rk/jd (For possible action) **11/02/21 PC**

9. **VS-21-0504-UNLV RESEARCH FOUNDATION:**
VACATE AND ABANDON a portion of a right-of-way being Sunset Road located between Jim Rogers Way and Cimarron Road within Spring Valley (description on file). MN/jgh/jo (For possible action) **11/02/21 PC**

10. **VS-21-0514-SPIRITUAL ASSEMBLY OF THE BAHA'IS OF SPRING VALLEY:**
VACATE AND ABANDON a portion of a right-of-way being Jones Boulevard located between Patrick Lane and Post Road and a portion of right-of-way being Patrick Lane located between Jones Boulevard and Red Rock Street within Spring Valley (description on file). MN/jgh/jd (For possible action) **11/02/21 PC**

11. **WS-21-0505-FAR APARTMENTS OWNERS SPE, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a freestanding sign where not allowed; and **2)** allow wall signs where not allowed.
DESIGN REVIEW for signage in conjunction with an apartment complex on 6.3 acres in an R-5 (Apartment Residential) Zone. Generally located on the north side of Reno Avenue, 180 feet west of Fort Apache Road within Spring Valley. JJ/jvm/jd (For possible action) **11/02/21 PC**

11/03/21 BCC

12. **UC-21-0515-MIDDLEPOINT, LLC:**
USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); **2)** reduced separation for a supper club from a residential use; and **3)** reduced separation for outside dining areas from a residential use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; and **2)** alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** shopping center; **2)** alternative parking lot landscaping; and **3)** finished grade on 4.2 acres in a C-1 (Local Business) Zone in the CMA Design Overlay District. Generally located on the northwest corner of Tompkins Avenue and Fort Apache Road within Spring Valley. JJ/al/jo (For possible action) **11/03/21 BCC**
13. **WC-21-400147 (ZC-1208-00)-5335 SFA PROPCO, LLC:**
WAIVER OF CONDITIONS of a zone change requiring the following: **1)** landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; **2)** building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.); and **3)** landscaping along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping in conjunction with a commercial building on 0.4 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/jt/jo (For possible action) **11/03/21 BCC**
14. **UC-21-0495-5335 SFA PROPCO, LLC:**
USE PERMIT for a cannabis establishment (cannabis retail store).
WAIVER OF DEVELOPMENT STANDARDS to reduce landscaping.
DESIGN REVIEWS for the following: **1)** commercial building; and **2)** finished grade on 0.4 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/jt/jo (For possible action) **11/03/21 BCC**
15. **VS-21-0494-ELDORA LAS VEGAS INVESTMENTS, LLC:**
VACATE AND ABANDON a portion of right-of-way being Eldora Avenue located between Pioneer Way (alignment) and Monte Cristo Way within Spring Valley (description on file). JJ/rk/jo (For possible action) **11/03/21 BCC**
16. **WS-21-0491-ELDORA LAS VEGAS INVESTMENTS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced net lot area; **2)** increased wall height; **3)** increase driveway width; and **4)** reduce street intersection off-set.
DESIGN REVIEWS for the following: **1)** a proposed 10 lot single family residential subdivision; and **2)** finished grade on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Eldora Avenue and the east side of Pioneer Way (alignment) within Spring Valley. JJ/rk/jo (For possible action) **11/03/21 BCC**
17. **TM-21-500142-ELDORA LAS VEGAS INVESTMENTS, LLC:**
TENTATIVE MAP consisting of 10 single family residential lots and common lots on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Eldora Avenue and the east side of Pioneer Way (alignment) within Spring Valley. JJ/rk/jo (For possible action) **11/03/21 BCC**

18. **ZC-21-0490-GK ACQUISITIONS, LLC & BESUDEN, HENRY & CHARLOTTE REV TR: ZONE CHANGE** to reclassify 26.8 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.
WAIVER OF DEVELOPMENT STANDARDS to allow a modified driveway design.
DESIGN REVIEWS for the following: **1)** distribution center; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the west side of Cimarron Road and the south side of Badura Avenue within Spring Valley (description on file). MN/rk/jo (For possible action) **11/03/21 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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- IX. Next Meeting Date: October 26, 2021.

- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Desert Breeze Community Center, 8275 W. Spring Mountain Rd.
<https://notice.nv.gov>



Spring Valley Town Advisory Board

September 28, 2021

MINUTES

Board Members:	Yvette Williams, Chair - PRESENT Rodney Bell – EXCUSED Brian A. Morris - PRESENT	Catherine Godges, Vice Chair - PRESENT John Getter - PRESENT
Secretary:	Carmen Hayes, 702 371-7991, chaves@yahoo.com PRESENT	
County Liaison:	Mike Shannon 702-455-8338 mds@clarkcountynv.gov PRESENT	

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

Yvette Williams called the meeting to order at 6:35 pm
Al Laird, Current Planning

II. Public Comment

None

III. Approval of **September 14, 2021** Minutes

Motion by: **Brian Morris**

Action: **APPROVE** including the background information associated with the Spring Valley Trails Development Plan

Vote: **4/0 Unanimous**

IV. Approval of Agenda for **September 28, 2021** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **Yvette Williams**

Action: **APPROVE** as amended

Vote: **4/0 Unanimous**

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)

None

VI. Planning & Zoning

1. **WS-21-0419-DIGITAL DESERT BP, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow roof signs; **2)** increase the number of monument signs; **3)** increase the number of project identification signs; **4)** reduce the separation between project identification signs and monument signs; and **5)** hanging signs.
DESIGN REVIEW for a comprehensive sign plan in conjunction with a previously approved mixed use development on 42.4 acres within a C-2 (Commercial General) Zone in the CMA Design Overlay District. Generally located on the west side of Buffalo Drive and the south side of Patrick Lane within Spring Valley. MN/md/jo (For possible action) **09/22/21 BCC**

Motion by: **Brian Morris**

Action:

APPROVE Waiver of Development Standards #2 through #4

DENY Waiver of Development Standards #1 and #5

DENY Design Review

Vote: **4/0 Unanimous**

2. **ET-21-400144 (UC-0308-16)-COMHAR HOLDINGS JONES LLC:**
USE PERMIT THIRD EXTENSION OF TIME to reduce the setback for a vehicle (automobile) wash facility from a residential use.
WAIVER OF DEVELOPMENT STANDARDS to allow alternative landscaping.
DESIGN REVIEW for a proposed vehicle (automobile) wash facility on 1.3 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Jones Boulevard, 200 feet south of Flamingo Road within Spring Valley. MN/lm/jo (For possible action) **10/19/21 PC**

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: **4/0 Unanimous**

3. **WS-21-0450-COMHAR HOLDINGS JONES LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping requirements; and **2)** alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** modifications to an approved vehicle (automobile) wash facility; and **2)** finished grade on 1.3 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Jones Boulevard, 200 feet south of Flamingo Road within Spring Valley. MN /al/jo (For possible action) **10/19/21 PC**

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: **4/0 Unanimous**

4. **NZC-21-0468-HACIENDA ASSOCIATES LP:**
ZONE CHANGE to reclassify 4.8 acres from a C-2 (General Commercial) Zone to an R-3 (Multiple Family Residential) Zone.
USE PERMIT for an attached (townhouse) planned unit development (PUD).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the area of a PUD; **2)** reduce setbacks; **3)** increase wall height; **4)** reduce width of private streets; **5)** reduce street intersection off-set; and **6)** reduce back of curb radius.
DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade in the CMA Design Overlay District. Generally located on the

north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley (description on file). JJ/md/jo (For possible action) 10/19/21 PC

The applicant requested a HOLD to the Spring Valley Town Advisory Board meeting on October 12, 2021

5. **VS-21-0469-HACIENDA ASSOCIATES LP:**

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Diablo Drive, and between Jerry Tarkanian Way and Fort Apache Road; and a portion of a right-of-way being Russell Road located between Jerry Tarkanian Way and Fort Apache Road within Spring Valley (description on file). JJ/md/jo (For possible action) 10/19/21 PC

The applicant requested a HOLD to the Spring Valley Town Advisory Board meeting on October 12, 2021

6. **TM-21-500139-HACIENDA ASSOCIATES LP:**

TENTATIVE MAP consisting of 84 residential lots and common lots on 4.8 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley. JJ/md/jo (For possible action) 10/19/21 PC

The applicant requested a HOLD to the Spring Valley Town Advisory Board meeting on October 12, 2021

7. **WS-21-0445-DM APARTMENTS LP & DURANGO WARM SPRINGS III, LLC:**

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a previously approved multiple family residential development on 6.4 acres in an R-5 (Apartment Residential) Zone in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road and the west side of Cimarron Road within Spring Valley. MN/jt/jo (For possible action) 10/19/21 PC

Motion by: **Brian Morris**

Action: **APPROVE** subject to staff conditions

Vote: **4/0 Unanimous**

8. **VS-21-0449- NP DURANGO, LLC:**

VACATE AND ABANDON portion of a right-of-way being Roy Horn Way located between Durango Drive and El Capitan Way (alignment) in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay) Zone in the Rhodes Ranch Master Planned Community within Spring Valley (description on file). JJ/rk/jd (For possible action) 10/20/21 BCC

The applicant requested a HOLD, no date certain, to work with staff

9. **WC-21-400136 (ZC-20-0321)-PROJECT MINT REHAB, LLC:**

WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication to include 30 feet for Karms Park Court with a portion of a cul-de-sac on 2.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the west side of Karms Park Court, 610 feet north of Sunset Road within Spring Valley. MN/jgh/jo (For possible action) 10/20/21 BCC

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: **4/0 Unanimous**

10. **WS-21-0453-GKT ACQUISITIONS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** increase sign height; **3)** increase sign area; and **4)** modified driveway design standards. **DESIGN REVIEWS** for the following: **1)** a proposed office building; **2)** comprehensive sign plan; and **3)** finished grade on 2.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Rafael Rivera Way and the east side of Cimarron Road within Spring Valley. MN/rk/jo (For possible action) **10/20/21 BCC**

Motion by: **John Getter**

Action:

APPROVE Waiver of Development Standards #1 and Design Reviews #1 and #3

DENY Waiver of Development Standards #2, #3 and #4

DENY Design Review #2

Vote: **4/0 Unanimous**

11. **WS-21-0471-GRAMERCY (MIXED-USE) OWNER, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow an inverted street cross section; **2)** increase the number of dwelling units accessing a private drive; **3)** reduce curb radius; **4)** reduce driveway distance; **5)** reduce throat depth; **6)** increase animated sign area; **7)** allow video messaging; and **8)** reduce setbacks. **DESIGN REVIEWS** for the following: **1)** single family attached (townhouse) development; **2)** retail/restaurant; and **3)** signage on 21.0 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the south side of Russell Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action) **10/20/21 BCC**

The applicant requested a HOLD to the Spring Valley Town Advisory Board meeting on October 12, 2021

12. **TM-21-500146-GRAMERCY (MIXED-USE) OWNER, LLC:**
TENTATIVE MAP consisting of 71 residential lots and common lots on 5.1 acres in a UV (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the north side of Oquendo Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action) **10/20/21 BCC**

The applicant requested a HOLD to the Spring Valley Town Advisory Board meeting on October 12, 2021

VII General Business

None

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

None

IX. Next Meeting Date

The next regular meeting will be **October 12, 2021** at 6:30pm

X Adjournment

Motion by: **Yvette Williams**

Action: **Adjourn**

Vote: **4/0 - Unanimous**

The meeting was adjourned at 7:51 p.m.

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/>

DRAFT

10/19/21 PC AGENDA SHEET

PLANNED UNIT DEVELOPMENT
(TITLE 30)

RUSSELL RD/JERRY TARKANIAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0468-HACIENDA ASSOCIATES LP:

ZONE CHANGE to reclassify 4.8 acres from a C-2 (General Commercial) Zone to an R-3 (Multiple Family Residential) Zone.

USE PERMIT for an attached (townhouse) planned unit development (PUD).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the area of a PUD; 2) reduce setbacks; 3) increase wall height; 4) reduce width of private streets; 5) reduce street intersection off-set; and 6) reduce back of curb radius.

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

Generally located on the north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley (description on file). JJ/mjd/jo (For possible action)

RELATED INFORMATION:

APN:

163-29-401-018

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the area of a PUD to 4.8 acres where a minimum of 5 acres is required per Section 30.24.020 (a 4% reduction).
2. Reduce the setback from any street, drive aisle, sidewalk, or curb within a PUD to 3 feet where a minimum of 10 feet is required per Section 30.24.080 (a 70% reduction).
3. Increase combined screen wall/retaining wall height up to 12 feet (6 foot retaining wall/6 foot screen wall) where a maximum wall height of 9 feet (3 foot retaining wall/6 foot screen wall) is permitted per Section 30.64.050 (a 33% increase).
4. Reduce the width of private streets to 30 feet where a minimum width of 37 feet with 36 feet of drivable surface is required per Chapter 30.52 (an 18.9% reduction).
5. Reduce street intersection off-set to 104 feet where a minimum of 125 feet is required per Chapter 30.52 (a 16.8% reduction).
6. Reduce back of curb radius to 15 feet where a minimum radius of 20 feet is required per Uniform Standard Drawing 201 (a 25% reduction).

DESIGN REVIEWS:

1. Attached single family residential planned unit development.
2. Increased finished grade up to 84 inches where a maximum of 18 inches is the standard per Section 30.32.04 (a 367% increase).

**LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL**

BACKGROUND:

Project Description

General Summary

- Site Address: 9180 W. Russell Road
- Site Acreage: 4.8
- Number of Lots: 84
- Density (du/ac): 17.5
- Minimum/Maximum Lot Size (square feet): 951 (gross and net)/1,184 (gross and net)
- Project Type: Attached single family residential planned unit development
- Number of Stories: 2 to 3
- Building Height (feet): Up to 35
- Square Feet: 1,199 to 1,802
- Open Space Required/Provided: 21,127/32,384
- Parking Required/Provided: 185/190

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 4.8 acres from a C-2 zoning district to an R-3 zoning district to allow an attached (townhouse) single family residential planned unit development. The applicant conducted a neighborhood meeting on June 3, 2021, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Three people attended the meeting and did not have any comments regarding the proposed development.

Site Plans

The plans depict a residential development consisting of 84 single family attached townhome lots and 30 common area lots on 4.8 acres. The density of the overall development is shown at 17.5 dwelling units per acre. The project is made up of 4 plex and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive, Catmint Street, a private street connecting to a loop featuring 4 internal private streets. Lot 13 through lot 30, lot 49 through lot 66, and lot 67 through lot 84 are located along the east, north, and west perimeter of the project site. Lot 55 through lot 66 are located on the south portion of the site, along Russell Road. Lot 36 through lot 48 are centrally located within the project site, along the private street network. The development will be served by a single point of ingress/egress along the southwest portion of the site, adjacent to Russell Road. A 30 foot wide cross-access drive aisle is proposed at the southeast corner of the site, connecting to the existing commercial development to the east. A network of common open spaces are located throughout the development which includes a pool, spa, and cabana area located immediately to the south of lot 36 and lot 37, and an internal network of on-site pedestrian paths. The townhouse units do not include garages; therefore, all parking for the development is provided via unenclosed spaces equitably distributed throughout the site. Approximately 190 parking spaces are shown for residents and visitors where 185 spaces are required per Code. The minimum and maximum lot

areas are 951 square feet and 1,184 square feet, respectively. The minimum setbacks for the townhouse units are as follows:

- Front – 5 feet (3 feet for architectural intrusions and enclosures)
- Rear – 10 feet
- Interior Side Setback – zero feet (unit to unit), 5 feet from building to property line
- Side Street Corner Setback – 5 feet
- Perimeter Setback – 10 feet
- Roof Eave – extends a maximum of 2 feet from building

The plans indicate that an increase to finished grade to 84 inches is necessary due to the existing slope and future grading of the site. The increased fill will be generally located along the east side of the site where there is a grade difference from the adjacent commercial office development towards the north portion of the subject property.

Landscaping

Street landscaping consists of a 15 foot wide area, located behind an existing 5 foot wide attached sidewalk adjacent to Russell Road. Twenty-four inch box trees, including shrubs and groundcover, are located within the landscape area. A 6 foot high decorative block wall will be provided behind the street landscape area. Internal to the site, a network of on-site pedestrian paths and common open space areas, including a pool, spa, and cabana area, provide a total of 32,384 square feet of open space where 21,127 square feet of open space is required. Combined screen wall/retaining wall heights ranging between 9 feet to 12 feet in height are located along the north and east property lines of the site.

Elevations

The plans depict 4 plex and 6 plex residential units with 9 elevations. The buildings have a maximum height of 35 feet and feature pitched, concrete tile roofs. All units feature consistent and unified architecture throughout the exterior design of the buildings. The exterior building materials generally consist of stucco with horizontal and vertical articulation depicted on all elevations, including pop-outs. Decorative window variations and trimming are also featured on all elevations. Color variations have been incorporated into the overall design of the units consisting of neutral, earth tone colors. The pool house measures 14 feet in height and consists of a pitched, concrete tile roof. The building is painted with neutral, earth tone colors.

Floor Plans

The plans depict 2 story to 3 story homes with floor plans ranging between 1,199 square feet to 1,802 square feet. The floor plans feature multiple bedrooms, dining room, living room, kitchen, bathrooms, and depending on the model selected, a loft area. Each unit features a private open courtyard area located in the rear of the unit. The pool house measures 499 square feet in area and includes restroom facilities and an equipment room.

Applicant's Justification

The applicant states the setback waiver request is appropriate because the reduced setbacks to the street are internal to the subdivision street and do not impact any adjacent properties with

setbacks less than the existing C-2 zoning. The reduction to the private street width is appropriate because the reduced street width is suitable since the streets function as a drive aisle, providing access to parking stalls similar to multiple family developments. There will be no on-site parking allowed other than in parking stalls. The reduction to the street intersection off-set will not create any issues as the internal street is functioning as a knuckle or bend more than a traditional intersection. This design will allow for the movement of traffic without a queuing issue onto the adjacent public street. There is cross-access to the east and access to a driveway to Russell Road through the adjacent site. Finally, the site is not gated which will assist with on-site traffic flow. The back of curb radii design will meet all fire access requirements and meet turning movement requirements. The grade difference along the east boundary will necessitate the need for a retaining wall up to a maximum of 6 feet in total height due to slope and necessary grading for the site. The additional fill area is primarily along the east side of the site where there is a grade difference from the adjacent commercial office development towards the north portion for the property. While the lot size is only 0.18 acres deficient in size, it meets all the requirements of a PUD as enumerated above. Most importantly, the site is in-fill development and the proposed PUD promotes the general health, safety, and welfare of the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0665-13	Reclassified the site from C-2 to R-2 zoning for a single family residential development	Withdrawn at PC	February 2014
VS-0666-13	Vacated easements and right-of-way	Withdrawn at PC	February 2014
TM-0181-13	Single family residential development	Withdrawn at PC	February 2014
UC-1309-07	Increased building height with a design review for a shopping center - expired	Approved by BCC	December 2007
UC-1075-06	Increased building height with a design review for a shopping center - expired	Approved by BCC	September 2006
UC-0415-05	A 6 story office and retail building with a waiver to reduce parking - expired	Approved by PC	April 2005
ZC-1484-02	Reclassified the site to a C-2 zoning for future commercial development	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Improved drainage channel
South	Commercial General	U-V & C-2	Mixed-use development (Manhattan West) & office development
East	Commercial General	C-2	Animal hospital, offices & retail center
West	Commercial General	U-V	Mixed-use development (Russell Road condominiums)

Related Applications

Application Number	Request
VS-21-0469	A request to vacate and abandon easements and right-of-way is a companion item on this agenda.
TM-21-500139	A tentative map consisting of 86 attached single family residential lots on 4.8 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

Current Planning

Zone Change

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

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

The applicant indicates the Spring Valley Land Use Plan was last amended in October of 2014 and due to the COVID-19 pandemic, the recent update to the Spring Valley Land Use Plan was cancelled. Nonetheless, there have been major changes and developments occurring along the Russell Road corridor between the CC 215 and Fort Apache Road. One of the major changes includes the approval and development of an R-4 zoned, multiple family development to the west of the site (APN 163-29-412-004). Like the site, the approval of the R-4 zoned, multiple family property to the west is master planned CG; therefore, a request to R-3 zoning is consistent with recent zone changes in this corridor.

This site is adjacent to existing office and retail uses to the east and southeast. To the south and west are mixed-use developments which include commercial and residential components. The closest residential developments that are not part of mixed-used developments is the single family residential development located 70 feet to the north and an apartment complex located 700 feet to the west (NZC-17-0237). The abutting commercial and mixed-use developments were all approved prior to the adoption of the most recent Spring Valley Land Use Plan in 2014. Therefore, there have been no significant changes to the area that would make this zone boundary amendment appropriate.

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

The applicant states the site is located on Russell Road, a 100 foot wide arterial street, and near both the CC 215 off-ramp and Fort Apache Road, a 100 foot wide right-of-way. Both these streets are major corridors designed specifically to accommodate large volumes of traffic. Additionally, the site is located just west of the CC 215 off-ramp. Immediately to the west of the site is 1) an existing mixed-use development consisting of residential and condominium uses and an existing R-4 zoned, multiple family development; 2) immediately to the south is the Gramercy (a mixed-use development); 3) immediately to the north is a drainage channel that provides an ideal buffer to the single family development to the north of the drainage channel; and 4) to the east is existing office buildings. The Applicant is requesting a density of just less than 18 dwelling units per acre with a maximum height of 3 stories and 35 feet. The proposed density and height are consistent with the current development within the Russell Road corridor. Thus, overall, the site's proposed density and intensity are compatible with the area.

The mixed-use development project to the south, across Russell Road, was approved with a density of 33.2 dwelling units per acre. The mixed-used development immediately to the west of the project site was approved with a density of 25.2 dwelling units per acre. The single-family residential development to the north was approved at 8 dwelling units per acre. The commercial developments to the east and southeast are C-2 zoned developments which permit the most intense commercial uses. The planned unit development consists of 17.9 dwelling units per acre. The proposed project is a lower density and intensity than the existing and approved projects in the surrounding area. The lower density and intensity of this project are not compatible with the existing and approved land uses within the immediate area.

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

According to the applicant, the proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. This site is located on Russell Road, a 100 foot wide arterial street, and near the CC 215 and Fort Apache Road, another 100 foot wide arterial right-of-way. Further, the site will provide recreational amenities which will not burden Clark County recreation facilities. Finally, the applicant will mitigate any impacts the proposed development may have.

There has been no indication from service providers that this request will have an adverse or substantial effect on public facilities and services. The school district has indicated that this development would generate 14 additional elementary school, 8 middle school, and 11 high school students. The school district indicates Abston Elementary School, Fertitta Middle School, and Durango High School are under capacity by 154, 233, and 190 students, respectively.

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

The applicant states pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Here, the site is located at Russell Road near the CC 215 off-ramp. It is located near

public facilities and mass transit stops necessary to support the development. Additionally, the proposed development is located near large scale employment/industrial centers along the CC 215. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential (R-3 related zoning) policies of the Urban Land Use Policies, including, but not limited to the following policies: 1) encourage multiple family developments to be located near transit stops and road networks that can accommodate higher residential densities; 2) encourage spatial distribution rather than massing of buildings; 3) encourage multiple amenities within multiple family (or attached) projects; 4) encourage the arrangement of parking areas to avoid long concrete corridors of parking; and 5) encourage the use of drought tolerant landscaping.

Staff finds the location of the proposed development is incompatible with the existing commercial and mixed-use developments in the surrounding area. The proposed planned unit development is located within an area that is planned and zoned for various commercial uses. The subject parcel is appropriate for Commercial General uses. Therefore, the request does not conform to the policies in the Comprehensive Master Plan for development in this area. Furthermore, Urban Specific Policy 8 of the Comprehensive Master Plan discourages nonconforming zone changes.

Summary

Zone Change

Staff finds there has been no change in law, policies, and trends that make this request appropriate for the area. The existing developments and approved projects adjacent to this site were all approved prior to the adoption of the Spring Valley Land Use Plan in 2014. The project is a lower density and intensity than the existing and approved projects within the surrounding area, therefore making the proposed development incompatible with the adjacent land uses. The project is not consistent with the goals and policies within the Comprehensive Master Plan. Staff finds the applicant has not satisfied the compelling justification criteria; therefore, staff recommends denial.

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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

A planned unit development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhance residential amenities. The design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. Staff is particularly concerned with the proposed density and the totality of the waiver of development standards requests associated with the development. Staff finds the project site is being overbuilt and is not an appropriate development between the mixed-use development to the west and the commercial development to the east; therefore, recommends denial.

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

The request to reduce the overall area of the PUD, in conjunction with waiver requests 2 and 3, are for specific requirements for PUD projects per Section 30.24 of the Code. As stated above, staff finds that this site is not an appropriate location for a PUD project and is not supporting the use permit portion of the application. Therefore, since staff is not supporting the use permit to allow the site to be developed as a PUD, staff cannot support the request to waive this specific requirement for the project.

Waiver of Development Standards #2

The waiver request to reduce the required setback is a self-imposed burden that staff cannot support. The building setback adjacent to the private streets, consisting of 5 feet, may result in additional vehicles parking along the private streets; therefore, staff recommends denial.

Waiver of Development Standards #3

Staff finds the topography of the project site warrants an increase to the retaining wall height proposed for the development. The combined screen wall/retaining wall height ranges between 9 feet and 12 feet along the north and east property lines, respectively. The greatest increase to the wall height occurs along the east boundary of the project site, adjacent to the existing commercial development. The increased wall height along the north property line is adjacent to an improved drainage channel. However, since staff is not supporting the zone change, use permit, and waivers of development standards, staff cannot support this request.

Design Review #1

Staff finds a variety of design elements are utilized on all sides of the residential buildings, including varying roof lines and exterior building materials such as stucco and decorative window trimming. However, since staff is not supporting the zone change, use permit, and waivers of development standards, staff cannot support this request and recommends denial.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the request to reduce the width of the private streets provided that Fire Prevention approves the request. However, since Planning cannot support the application in its entirety, staff cannot support this request.

Waiver of Development Standards #5

Staff has no objection to the reduction in the street intersection off-set between Russell Road and Purple Sand. Since Purple Sand follows the existing alignment of the access to the commercial

development to the east. However, since Planning cannot support the application in its entirety, staff cannot support this request.

Waiver of Development Standards #6

Staff has no objection to the reduction in the radii for both sides of the entry street, Dwarf Iris Street. The location of the proposed street is an already existing commercial driveway for access to the subject site and the site to the east. As long as the driveway is in good condition, it would not need to be replaced. However, since Planning cannot support the application in its entirety, staff cannot support this request.

Design Review #2

This design review represents the maximum grade difference along 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 cannot support the application in its entirety, staff cannot support this design review.

Department of Aviation

APN 163-29-401-018 is subject to 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. Applicant must contact the Clark County Department of Real Property Management to apply for a Deed Restriction Modification to amend existing deed restrictions which prohibit said use. Permits will not be issued and maps will not be recorded until all required fees associated with the amended deed restrictions, which would permit currently prohibited uses included in this application, have been paid and the new CC&Rs are recorded. If applicant fails to pay the required deed modification fees and record the new CC&Rs, then permits for uses prohibited by existing recorded deed restrictions must not be issued and mapping of uses prohibited by existing recorded deed restrictions must not be recorded.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 17, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 4 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Coordinate with Public Works - Traffic Management to reconstruct the median island on Russell 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 off-site improvement permits may be required.

Department of Aviation

- Compliance with most recent recorded airport-related deed restrictions for APN 163-29-401-018.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

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 #0064-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: TOUCHSTONE LIVING, INC

CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

2

10/19/21 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

RUSSELL RD/JERRY TARKANIAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0469-HACIENDA ASSOCIATES LP:

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Diablo Drive, and between Jerry Tarkanian Way and Fort Apache Road; and a portion of a right-of-way being Russell Road located between Jerry Tarkanian Way and Fort Apache Road within Spring Valley (description on file). JJ/md/jc (For possible action)

RELATED INFORMATION:

APN:

163-29-401-018

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

This is a request to vacate a portion of right-of-way being Russell Road, previously recorded via document number 20000721:01114. The portion of right-of-way being vacated measures 4,331 square feet and is no longer needed as Russell Road is fully dedicated. The second portion of this request is for the vacation of an existing slope easement previously recorded via document number 20000721:01114, located on the south portion of the project site. The slope easement measures 30 feet in width with an area of 10,252 square feet. The slope easement is no longer needed as Russell Road is fully dedicated.

Prior Land Use Requests

Application Number	Request	Action	Date
N/C-0665-13	Reclassified the site from C-2 to R-2 zoning for a single family residential development	Withdrawn at PC	February 2014
VS-0666-13	Vacated easements and right-of-way	Withdrawn at PC	February 2014
TM-0181-13	Single family residential development	Withdrawn at PC	February 2014
UC-1309-07	Increased building height with a design review for a shopping center - expired	Approved by BCC	December 2007
UC-1075-06	Increased building height with a design review for a shopping center - expired	Approved by BCC	September 2006

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0415-05	A 6 story office and retail building with a waiver to reduce parking - expired	Approved by PC	April 2005
ZC-1484-02	Reclassified the site to a C-2 zoning for future commercial development	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Improved drainage channel
South	Commercial General	U-V & C-2	Mixed-use development (Manhattan West) & office development
East	Commercial General	C-2	Animal hospital, offices & retail center
West	Commercial General	U-V	Mixed-use development (Russell Road condominiums)

Related Applications

Application Number	Request
NZC-21-0468	A nonconforming zone change to reclassify 4.8 acres from a C-2 zone to an R-3 zone for an attached single family residential planned unit development is a companion item on this agenda.
TM-21-500139	A tentative map consisting of 86 attached single family residential lots on 4.8 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 the slope easement and a portion of the Russell Road right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 17, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TOUCHSTONE LIVING, INC

CONTACT: ANN PIERCE KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

10/19/21 PC AGENDA SHEET

RUSSELL & 215
(TITLE 30)

RUSSELL RD/JERRY TARKANIAN WAY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500139-HACIENDA ASSOCIATES LP:

TENTATIVE MAP consisting of 84 residential lots and common lots on 4.8 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the north side of Russell Road, 345 feet west of Jerry Tarkanian Way within Spring Valley. JJ/md/jo (For possible action)

RELATED INFORMATION:

APN:
163-29-401-018

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9180 W. Russell Road
- Site Acreage: 4.8
- Number of Units: 84
- Density (du/ac): 17.5
- Minimum/Maximum Lot Size (square feet): 951 (gross and net)/1,184 (gross and net)
- Project Type: Attached single family residential planned unit development
- Open Space Required/Provided: 21,127/32,384

The plans depict a residential development consisting of 84 single family attached townhome lots and 30 common area lots on 4.8 acres. The density of the overall development is shown at 17.5 dwelling units per acre. The project is made up of 4 plex and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive, Catmint Street, a private street connecting to a loop featuring 4 internal private streets. Lot 13 through lot 30, lot 49 through lot 66, and lot 67 through lot 84 are located along the east, north, and west perimeters of the project site. Lot 55 through lot 66 are located on the south portion of the site, along Russell Road. Lot 36 through lot 48 are centrally located within the project site, along the private street network. The development will be served by a single point of ingress/egress along the southwest portion of the site, adjacent to Russell Road. A 30 foot wide cross-access drive aisle is proposed at the southeast corner of the site, connecting to the existing commercial development to the east. A network of common open spaces are located throughout the development which includes a pool, spa, and cabana area located immediately to the south of lot 36 and lot 37, and an internal network of on-site pedestrian paths. The townhouse units do not

include garages; therefore, all parking for the development is provided via unenclosed spaces equitably distributed throughout the site. Approximately 190 parking spaces are shown for residents and visitors where 185 spaces are required per Code. The minimum and maximum lot areas are 951 square feet and 1,184 square feet, respectively. The minimum setbacks for the townhouse units are as follows:

- Front – 5 feet (3 feet for architectural intrusions and enclosures)
- Rear – 10 feet
- Interior Side Setback – zero feet (unit to unit), 5 feet from building to property line
- Side Street Corner Setback – 5 feet
- Perimeter Setback – 10 feet
- Roof Eave – extends a maximum of 2 feet from building

Landscaping

Street landscaping consists of a 15 foot wide area, located behind an existing 5 foot wide attached sidewalk adjacent to Russell Road. Twenty-four inch box trees, including shrubs and groundcover, are located within the landscape area. A 6 foot high decorative block wall will be provided behind the street landscape area. Internal to the site, a network of on-site pedestrian paths and common open space areas, including a pool, spa, and cabana area provide a total of 32,384 square feet of open space where 21,127 square feet of open space is required. Combined screen wall/retaining wall heights ranging between 9 feet to 12 feet in height are located along the north and east property lines of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0665-13	Reclassified the site from C-2 to R-2 zoning for a single family residential development	Withdrawn at PC	February 2014
VS-0666-13	Vacated easements and right-of-way	Withdrawn at PC	February 2014
TM-0181-13	Single family residential development	Withdrawn at PC	February 2014
UC-1309-07	Increased building height with a design review for a shopping center - expired	Approved by BCC	December 2007
UC-1075-06	Increased building height with a design review for a shopping center - expired	Approved by BCC	September 2006
UC-0415-05	A 6 story office and retail building with a waiver to reduce parking - expired	Approved by PC	April 2005
ZC-1484-02	Reclassified the site to a C-2 zoning for future commercial development	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Improved drainage channel

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Commercial General	U-V & C-2	Mixed-use development (Manhattan West) & office development
East	Commercial General	C-2	Animal hospital, offices & retail center
West	Commercial General	U-V	Mixed-use development (Russell Road condominiums)

Related Applications

Application Number	Request
NZC-21-0468	A nonconforming zone change to reclassify 4.8 acres from a C-2 zone to an R-3 zone for an attached single family residential planned unit development is a companion item on this agenda.
VS-21-0469	A request to vacate right-of-way and easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30. Approval of this request is contingent upon approval of NZC-21-0468. However, since staff is not supporting NZC-21-0468, staff cannot support this request.

Department of Aviation

APN 163-29-401-018 is subject to 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. Applicant must contact the Clark County Department of Real Property Management to apply for a Deed Restriction Modification to amend existing deed restrictions which prohibit said use. Permits will not be issued and maps will not be recorded until all required fees associated with the amended deed restrictions, which would permit currently prohibited uses included in this application, have been paid and the new CC&Rs are recorded. If applicant fails to pay the required deed modification fees and record the new CC&Rs, then permits for uses prohibited by existing recorded deed restrictions must not be issued and mapping of uses prohibited by existing recorded deed restrictions must not be recorded.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 17, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Coordinate with Public Works - Traffic Management to reconstruct the median island on Russell 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 off-site improvement permits may be required.

Current Planning Division - Addressing

- Private streets shall have approved street names and suffixes;
- Verbena, Bell Flower, Calmint are previously recorded and shall have an approved street name;
- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Compliance with most recent recorded airport-related deed restrictions for APN 163-29-401-018.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

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 #0064-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: TOUCHSTONE LIVING, INC
CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE
650, LAS VEGAS, NV 89135

DRAFT

4

10/20/21 BCC AGENDA SHEET

MIXED-USE
(TITLE 30)

RUSSELL RD/ROCKY HILL ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0471-GRAMERCY (MIXED-USE) OWNER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow an inverted street cross section; 2) increase the number of dwelling units accessing a private drive; 3) reduce curb radius; 4) reduce driveway distance; 5) reduce throat depth; 6) increase animated sign area; 7) allow video messaging; and 8) reduce setbacks.

DESIGN REVIEWS for the following: 1) single family attached (townhouse) development; 2) retail/restaurant; 3) signage; and 4) finished grade on 21.0 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the south side of Russell Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action)

RELATED INFORMATION:

APN:

163-32-113-002 through 163-32-113-006

WAIVERS OF DEVELOPMENT STANDARDS.

1. Allow an inverted street cross section where a crown street cross section is required per Uniform Standard Drawing 210.S1.
2. Increase the number of dwelling units accessing a private drive to 8 where 6 is the maximum per Section 30.52.030 (a 34% increase).
3. Reduce minimum back of curb radius to 8 feet where 20 feet is the minimum per Uniform Standard Drawing 201 (a 60% decrease).
4. Reduce the distance from a residential driveway to a property line to 2 feet where 6 feet is the minimum per Uniform Standard Drawing 222 (a 67% reduction).
5. Reduce throat depth to 22 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 85% reduction).
6. Increase the area of an animated sign (electronic message unit) to 1,320 square feet where 100 square feet is allowed per Table 30.72-1 (a 1,220% increase).
7. Allow video messaging where not allowed per Table 30.72-1.
8. Reduce the setback to zero feet where a 10 foot setback is required to a right-of-way per Section 30.56.040 (a 100% decrease).

DESIGN REVIEWS:

1. Single family attached (townhouses).
2. Retail/restaurant.
3. Signage.
4.
 - a. Increase finished grade on the residential area to 7 feet where 1.5 feet is the maximum allowed per Section 30.32.040 (a 366.7% increase).
 - b. Increase finished grade on the commercial area to 11.1 feet where 1.5 feet is the maximum allowed per Section 30.32.040 (a 640% increase).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Acreage: 21
- Number of Lots/Units: 71
- Density (du/ac): 13.9
- Minimum/Maximum Lot Size (square feet): 1,473/1,494
- Project Type: Mixed-use
- Number of Stories: 1 (commercial)/2 (residential)
- Building Height (feet): 27 (commercial)/27 (residential)
- Square Feet: 25,740 (commercial)/1,725 to 2,125 (residential)
- Parking Required/Provided: 1,462/1,515

History

The site was originally approved as a mixed-use project known as Manhattan West, which has since been changed to the Gramercy. The project was originally approved by ZC-0994-06 in October 2006. The development was approved for a site of approximately 21 acres with 696 residential units and 282,160 square feet of commercial and retail area. The original project had a density of 33.2 dwelling units per acre. To date a total of 187,008 square feet of commercial area and 160 residential units have been developed on the project site and 294 multiple family residential units on an 11 acre portion have been approved. The commercial buildings developed in conjunction with the mixed-use project were approved at a height of 110 feet and the residential components have been approved for a height of 92 feet. ZC-0994-06 was approved with a condition for a design review as a public hearing on significant changes to the project and the 21 acre site is under a Development Agreement that has specific requirements based on the approved plans for the zone change.

Site Plan (Residential)

The plan depicts 71 townhome units on approximately 5.1 acres for a density of 13.9 dwelling units per acre. Access to the residential site is via Oquendo Road and internally to the overall development. Internal private streets are 46 feet in width with parking on both sides, stub streets are 27 feet to 29 feet in width. The project is made up of 4 plex and 6 plex buildings designed around the internal street network. A network of common open spaces are located throughout the development which include a dog area, barbeques, and seating areas. Residents of this

project will also have access to the amenities approved with the multiple family development that was recently approved by UC-20-0304.

Site Plans (Commercial)

The plans for the commercial portion of this application depict 2 separate campuses that will be connected by the existing internal drive aisle. The first area will be called "The Grove" and will consist of restaurant and retail uses. There will be 3 smaller buildings of approximately 1,000 square feet each and 2 larger buildings at 2,840 square feet and 5,700 square feet, respectively. This campus will be highlighted by a grove of shade trees within a courtyard area. The other campus will be known as "The Yard" and will be composed of retail as well as food and beverage tenants. This area includes three, 1,000 square foot structures along with 3 larger buildings composed of 1,900, 4,050, and a 5,250 square foot structures. This area is highlighted by a metal framed shade structure.

Landscaping (Residential)

There will be a 15 foot wide landscape planter with a detached sidewalk along Oquendo Road. In addition, a network of common open spaces are located throughout the development which include a dog area, barbeques, and seating areas. Residents of this project will also have access to the amenities approved with the multiple family development that was recently approved by UC-20-0304.

Landscaping (Commercial)

Landscaping for campus #1 "The Grove" consists of parking lot landscaping that is in conformance with Title 30. In addition, there is landscaping around the buildings and within the courtyard area. In campus #2 "The Yard" landscaping within the parking area will meet Code and additional landscaping is provided along the property line and around the buildings.

Elevations (Residential)

The plans depict approximately 27 foot tall 4 unit and 6 unit buildings. The design of the structures will include a tan stucco exterior with wood shutters and a tile roof.

Elevations (Commercial)

All structures will be from 18 feet to 27 feet in height and will include bronze paneling with precast and metal accents. The shade structure will be 31 feet in height and be constructed with metal framing.

Floor Plans (Residential)

The townhomes range in size from 1,725 square feet to 2,125 square feet and are composed of typical rooms associated with residential development.

Floor Plans (Commercial)

The commercial buildings range in size from 1,000 square feet to 5,700 square feet.

Signage

The signage associated with this request is to retrofit an existing 90 foot tall free standing sign with electronic messaging units on 2 sides of a 3 sided sign. The existing sign is located in the

northeast corner of the overall development along Russell Road. The applicant is requesting waivers of development standards to increase the animation area over what Code allows and also to allow a video screen messaging where not allowed.

Applicant's Justification

The applicant states that these are the final added improvements for this mixed-use development and that both the residential and commercial components blend with the already existing and approved portions of the overall mixed-use development.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0304	294 unit multiple family development	Approved by BCC	August 2020
WC-20-400070 (ZC-0994-06)	Waiver of conditions of a zone change that required commercial and residential to be developed together	Approved by BCC	August 2020
TM-0100-16	Combined 2 parcels into a 1 lot commercial subdivision in conjunction with a partially developed mixed-use project	Approved by PC	August 2016
UC-0755-08 (ET-0114-14)	Second extension of time for a kennel (pet daycare) and modifications to an approved mixed-use project	Approved by BCC	November 2014
UC-0054-07 (ET-0113-14)	Second extension of time for increased building height with a design review for façade changes to an approved mixed-use project	Approved by BCC	November 2014
DR-0112-14	Parking lot and modifications to a mixed-use project	Approved by BCC	April 2014
DR-0598-13	Parking lot and modifications to a mixed-use project	Approved by BCC	November 2013
UC-0755-08 (ADET-0598-13)	First extension of time for a kennel (pet daycare) and modifications to an approved mixed-use project	Approved by ZA	August 2013
UC-0054-07 (ADET-0599-13)	First extension of time for increased building height with a design review for façade changes to an approved mixed-use project	Approved by ZA	August 2013
TM-0120-13	Mixed-use project consisting of 1 commercial and 2 residential lots	Approved by PC	August 2013
UC-0755-08	Kennel (pet daycare) and modifications to an approved mixed-use project	Approved by BCC	September 2008
DA-1168-07	Development agreement for a mixed-use project	Approved by BCC	November 2007
UC-0054-07	Increased building height with a design review for façade changes to an approved mixed-use project	Approved by BCC	February 2007

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0994-06	Reclassified this site and adjacent parcels to the north and west to U-V zoning for a mixed-use development	Approved by BCC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	U-V & C-2	Commercial & multiple family residential (part of the Gramercy), & undeveloped
South	Commercial General	R-4, R-2, & R-E	Undeveloped & single family residential
East	Commercial General	C-2	Commercial development
West	Commercial General	U-V	Multiple family residential portion of the Gramercy

Related Applications

Application Number	Request
TM-21-500146	A tentative map for a 7 lot single family attached residential development is a companion item on this agenda

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**Waivers of Development Standards

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

Waivers of Development Standards #6 & #7

The proposed animated (electronic message unit) portion on 2 faces of an existing freestanding sign (northeast corner of the site) measures at 660 square feet per face (1,320 square feet total area). The maximum allowable area is 100 square feet. Staff does not support the applicant's request since, the proposed increase is not compatible in size compared to the existing signs in the immediate area. The purpose of the sign standards in Title 30 is to provide reasonable yet appropriate conditions for identifying businesses and services rendered in nonresidential districts by controlling size, type, and design of signs. Staff finds that the electronic message unit is not necessary to identify the business or services rendered on-site. Furthermore, the animation will

diminish the aesthetic environment of the largely undeveloped area; therefore, staff cannot support these requests.

Waiver of Development Standards #8

Staff has no practical problem with the reduction in setback to a right-of-way. This reduction occurs adjacent to the Russell Road right-of-way and appears to be excess right-of-way that will not be improved. Since it will not be improved the building as proposed will be farther than 10 feet away from the actual improved right-of-way; therefore, staff can support this request.

Design Review #1 (Residential)

Staff finds a variety of design elements are utilized on all sides of the residential buildings, including articulating building facades. The design of the proposed elevations incorporate varying rooflines, exterior building materials, such as stucco and stone veneer, decorative window trimming, and decorative wrought iron railings. Staff finds the design of the project site is compatible with the adjacent and surrounding land uses. The site will be developed at 13.9 dwelling units per acre, which staff believes is an appropriate density. The design of the residential buildings are consistent and compatible with the residential development within the surrounding area; therefore, staff recommends approval of this request.

Design Review #2 (Commercial)

Staff finds that the proposed retail/restaurant areas being proposed with this application blend well with all existing and future development for the project. The design of the buildings, with the variations in building height, comply with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking-up the mass of buildings. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief; therefore, staff recommends approval.

Design Review #3 (Signage)

Since staff is not supporting either of the proposed waivers for animated signage, staff cannot support the design review for the retrofitted signage. Staff recommends denial of this request.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to allowing an inverted crown on the private streets within the proposed subdivision. The applicant must show and provide evidence that this request will not be detrimental to the subdivision.

Waiver of Development Standards #2

Staff has no objection to the request to increase the number of dwelling units accessing a private street provided that Fire Prevention approves the request.

Waiver of Development Standards #3

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #4

Staff has no objection to the reduction in the distance from the driveway to the property line. The applicant provided open space to act as a buffer between each of the unit blocks to minimize hazards for drivers traveling through the site and exiting their driveways.

Waiver of Development Standards #5

Staff has no objection to the reduction in the throat depth for the Rocky Hill Street commercial driveway. Rocky Hill Street terminates just south of the site. Additionally, the 2 commercial driveways on Russell Road should see equal use, further mitigating potential impacts from the reduced throat depth.

Design Review #4

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 waivers of development standards #1, #2, #3, #4, #5, and #8, design review #1, #2, and #4; denial of waivers of development standards #6 and #7, and design review #3.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Prior to the issuance of any development permits, amend the existing Development Agreement to reflect changes to the originally approved plans for the project, and to mitigate impacts of the project, including but not limited to issues identified by any technical reports and studies, and issues identified by the Board of County Commissioners;
- 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 4 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 for Ouendo Road;
- Coordinate with Public Works - Traffic Management to reconstruct the median island on Russell 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

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 #0345-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GRAMERCY (MIXED-USE) OWNER, LLC

CONTACT: KAEMPPER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

10/20/21 BCC AGENDA SHEET

GRAMERCY TOWNHOUSES
(TITLE 30)

RUSSELL RD/ROCKY HILL ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500146-GRAMERCY (MIXED-USE) OWNER, LLC:

TENTATIVE MAP consisting of 71 residential lots and common lots on 5.1 acres in a UV (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the north side of Oquendo Road and the east side of Rocky Hill Street within Spring Valley. JJ/jvm/jd (For possible action)

RELATED INFORMATION:

APN:
163-32-113-004 ptn

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Acreage: 5.1
- Number of Lots/Units: 71
- Density (du/ac): 13.9
- Minimum/Maximum Lot Size (square feet): 1,473/1,494
- Project Type: Single family attached (townhouses)

The plan depicts 71 townhome units on approximately 5.1 acres for a density of 13.9 dwelling units per acre. Access to the residential site is via Oquendo Road and internally to the overall development. Internal private streets are 46 feet in width with parking on both sides, stub streets are 27 feet to 29 feet in width. The project is made up of 4 plex and 6 plex buildings designed around the internal street network. A network of common open spaces are located throughout the development which include a dog area, barbeques, and seating areas. Residents of this project will also have access to the amenities approved with the multiple family development that was recently approved by UC-20-0304.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0304	294 unit multiple family development	Approved by BCC	August 2020

Prior Land Use Requests

Application Number	Request	Action	Date
WC-20-400070 (ZC-0994-06)	Waiver of conditions of a zone change that required commercial and residential to be developed together	Approved by BCC	August 2020
TM-0100-16	Combined 2 parcels into a 1 lot commercial subdivision in conjunction with a partially developed mixed-use project	Approved by PC	August 2016
UC-0755-08 (ET-0114-14)	Second extension of time for a kennel (pet daycare) and modifications to an approved mixed-use project	Approved by BCC	November 2014
UC-0054-07 (ET-0113-14)	Second extension of time for increased building height with a design review for façade changes to an approved mixed-use project	Approved by BCC	November 2014
DR-0112-14	Parking lot and modifications to a mixed-use project	Approved by BCC	April 2014
DR-0598-13	Parking lot and modifications to a mixed-use project	Approved by BCC	November 2013
UC-0755-08 (ADET-0598-13)	First extension of time for a kennel (pet daycare) and modifications to an approved mixed-use project	Approved by ZA	August 2013
UC-0054-07 (ADET-0599-13)	First extension of time for increased building height with a design review for façade changes to an approved mixed-use project	Approved by ZA	August 2013
TM-0120-13	Mixed-use project consisting of 1 commercial and 2 residential lots	Approved by PC	August 2013
UC-0755-08	Kennel (pet daycare) and modifications to an approved mixed-use project	Approved by BCC	September 2008
DA-1168-07	Development agreement for a mixed-use project	Approved by BCC	November 2007
UC-0054-07	Increased building height with a design review for façade changes to an approved mixed-use project	Approved by BCC	February 2007
ZC-0994-06	Reclassified this site and adjacent parcels to the north and west to U-V zoning for a mixed-use development	Approved by BCC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	U-V & C-2	Commercial & multiple family residential (part of the Gramercy), & undeveloped
South	Commercial General	R-4, R-2, & RE	Undeveloped & single family residential
East	Commercial General	C-2	Commercial development

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Commercial General	U-V	Multiple family residential portion of the Gramercy

Related Applications

Application Number	Request
WS-21-0471	A waiver of development standards for a 71 unit single family attached development (townhouses) with 25,740 square feet of commercial development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements for Oquendo Road;
- Coordinate with Public Works - Traffic Management to reconstruct the median island on Russell Road.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: GRAMERCY (MIXED-USE) OWNER, LLC
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

DRAFT



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: TM-21-500146

Property Owner or Subdivision Name: GRAMERCY (Mixed Use) Owner, llc

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 _____ BCC _____

Change(s) to be made:

Held no date specific

Withdrawn

No change to meeting(s) Spring Valley 9-28-2021 & BCC 10/20/21

Amend Write-up

Renotify

Make a public hearing (Radius: _____)

Rescheduling

Other: Remove APN:163-32-113-006

Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____

Refund

80%

100% (please include justification for full refund below)

AMOUNT OF REFUND\$: _____

Reason for Change: Remove APN: 163-32-113-006

Change initiated by: JVM Date: 9/20/2021

Change authorized by: JVM Date: 9/20/2021

Change processed by: ds Date: 9/20/2021

Follow up assigned to: _____ Instructions: _____

Parcel Number(s): 163-32-113-004

Town Board(s): Spring Valley



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500146</u>	DATE FILED: <u>9/8/2021</u>
		PLANNER ASSIGNED: <u>JVM</u>	TAB/CAC DATE: <u>9/28/2021</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>N/A</u>	
		BCC MEETING DATE: <u>10/20/2021</u>	
		FEE: <u>\$750.00</u>	

PROPERTY OWNER	NAME: <u>Gramercy (Mixed-Use) Owner, LLC.</u>
	ADDRESS: <u>4901 Birch Street</u>
	CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u>
	TELEPHONE: <u>949-838-1274</u> CELL: <u>949-933-7269</u>
	E-MAIL: <u>kevinmartin@lyonliving.com</u>

APPLICANT	NAME: <u>Gramercy (Mixed-Use) Owner, LLC.</u>
	ADDRESS: <u>4901 Birch Street</u>
	CITY: <u>Newport Beach</u> STATE: <u>CA</u> ZIP: <u>92660</u>
	TELEPHONE: <u>949-838-1274</u> CELL: <u>949-933-7269</u>
	E-MAIL: <u>kevinmartin@lyonliving.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Lochsa Engineering</u>
	ADDRESS: <u>6345 S.Jones Blvd., Suite 100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-365-9312</u> CELL: <u>702-292-6276</u>
	E-MAIL: <u>brian@lochsa.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): Portion of 163-32-113-004

PROPERTY ADDRESS and/or CROSS STREETS: W. Oquendo Road btwn S. Ft. Apache & I-215

TENTATIVE MAP NAME: _____

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)*

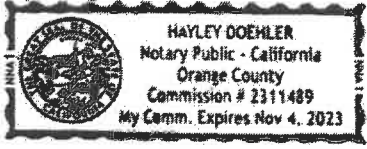
NATE JOHNSON
Property Owner (Print)

STATE OF California
COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON September 9, 2021 (DATE)

By Nate Johnson

NOTARY PUBLIC: [Signature] Hayley Doehler



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlazovich@kcnvlaw.com
702.792.7050

September 15, 2021

VIA UPLOAD

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

702-21-500146

Re: Tentative Map Hold Request – TM-21-500146

To Whom It May Concern:

Please be advised our office represents The Gramercy (the "Applicant") in the above-referenced matter. The Applicant is requesting to hold the tentative map application so that it can run concurrently with the companion applications associated with the proposed townhome project.

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

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/amp

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 660
Las Vegas, NV 89135
Tel: 702.792.7009
Fax: 702.796.7191

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3800
Fax: 775.327.2011

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

6

11/02/21 PC AGENDA SHEET

PLANNED UNIT DEVELOPMENT
(TITLE 30)

RUSSELL RD/BONITA VISTA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0528-GRAGSON-CACTUS HIGHLAND, LLC:

ZONE CHANGE to reclassify 4.6 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

USE PERMIT for an attached (townhouse) planned unit development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the gross area of a planned unit development; 2) reduce setbacks; 3) reduce private street width; 4) allow modified A-curb and ribbon curb with an inverted crown; 5) reduce back of curb radii for private streets; 6) allow modified private residential driveway design; and 7) reduce street intersection off-set.

DESIGN REVIEWS for the following: 1) an attached single family residential planned unit development; and 2) finished grade.

Generally located on the south side of Russell Road and the east side of Bonita Vista Street within Spring Valley (description on file). JJ/rk/d (For possible action)

RELATED INFORMATION:

APN:

163-32-501-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the minimum gross area of a planned unit development to 4.6 acres where 5.0 acres is required per Section 30.24.020 (an 8% reduction).
2.
 - a. Reduce setback for residential units to a sidewalk to 1 foot where a minimum of 10 feet is required per Section 30.24.080 (a 90% reduction).
 - b. Reduce setback for the front face of garage and second story living space to a street to 4 feet where a minimum of 10 feet is required per Section 30.24.080 (a 60% reduction).
 - c. Reduce setback for residential units to a parking curb to 5 feet where a minimum of 10 feet is required per Section 30.24.080 (a 50% reduction).
3. Reduce the width of a private street to 30 feet where a minimum of 37 feet with 36 feet of drivable surface is required per Chapter 30.52 (a 19% reduction).
4. Allow modified A-curb and ribbon curb with an inverted crown where Uniform Standard Drawing 210.S1 is required.
5. Reduce back of curb radii for private streets to 10 feet where a minimum of 20 feet is the standard per Uniform Standard Drawing 201 (a 50% reduction).
6. Reduce the distance from property line to a private residential driveway to 3 feet where 6 feet is required per Uniform Standard Drawing 222 is required (a 50% reduction).

7. Reduce street intersection off-set to 66 feet where a minimum of 125 feet is required per Chapter 30.52 (a 47% reduction).

DESIGN REVIEWS:

1. An attached (townhouse) planned unit development.
2. Increased finished grade to 70 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 289% increase).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.6
- Number of Lots: 78
- Density (du/ac): 16.9
- Minimum/Maximum Lot Size (square feet): 1,132/1,258
- Project Type: Attached (townhouse) planned unit development
- Number of Stories: 2 and 3
- Building Height (feet): Up to 35 feet, 10 inches
- Square Feet: 1,235/2,050
- Open Space Required/Provided: 19,921/63,202
- Parking Required/Provided: 204/204

Neighborhood Meeting Summary

The applicant conducted a virtual neighborhood meeting on June 21, 2021 as required by the nonconforming zone boundary amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 4 attendees present at the meeting for this item. The attendees had questions on the traffic, design and layout, and price point of the project. According to the applicant overall, there were no objections raised by the neighbors.

Site Plans

This request is for a nonconforming zone change to reclassify approximately 4.6 acres to an R-3 zone for a proposed attached (townhouse) planned unit development. The plans depict an attached single family residential development consisting of 78 residential lots with a density of 16.9 dwelling units per acre. The development consists of townhouse, residential dwellings under separate ownership that are attached to 1 or more dwellings on opposite sides of the structure.

The proposed development features a total of 17 buildings, made up of 4 plex, 5 plex, and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive with a loop street around the center of the project. The townhomes are designed with

garages facing the private streets. The development will be served by a single point of ingress/egress to the north from Russell Road. A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, tot-lot, playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. Parking will consist of garage parking for residents and designed surface off-street parking for visitors. Approximately 48 parking spaces are shown for the visitors and 156 parking spaces are provided for the residents.

Per Title 30, many of the development standards for planned unit developments are established by a use permit process based on the plans that are approved for the project by the Board of County Commissioners. The minimum setbacks and height for each of the townhouse units are the following:

- Front face of garage - 4 feet (from the edge of the private street)
- Front living area (second story) - 4 feet
- Side street (corner) yard - 5 feet
- Interior side yard – 10 feet between buildings; zero feet between units
- Rear living area - 5 feet to common element
- Rear courtyard/patios - zero feet to common element
- Perimeter - 10 feet
- Height – 35 feet 10 inches

The plans indicate that an increase in grade to 70 inches is required due to typical grading constraints. The increased fill will be generally located along the eastern and northern boundary lines.

Landscaping

Street landscaping consists of a 15 foot wide area, which includes a 5 foot wide detached sidewalk along Russell Road. Along the interior property lines, there is a minimum 15 foot wide landscape buffer with trees shown 20 feet on-center. Internal to the site, a network of common open space areas is located throughout the development, which will include on-site pedestrian paths, tot-lot playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. The development requires 19,921 square feet of open space where 63,202 square feet of open space is provided.

Elevations

The plans depict 4 plex, 5 plex, and 6 plex residential units with 4 different elevations. The units will be both 2 and 3 stories with a maximum height of 35 feet 10 inches and feature pitched, concrete tile roofs (height is established with the use permit). All units feature consistent and unified architecture throughout the exterior design of the buildings. The building materials generally consist of stucco and stone veneer accents, which include horizontal and vertical articulation on all elevations. Decorative window variations and trimming are featured on all elevations, in addition to wrought iron railings utilized for the patio decks. Additionally, design variations have been incorporated into the overall design of the garage doors facing the private streets.

Floor Plans

The plans depict 3 bedroom units with 4 different floor plans that range from 1,235 square feet to 2,050 square feet. The first floor of every unit will contain a 2 car garage.

Applicant's Justification

The applicant states the subject property is an in-fill site and will serve as a transitional land use from the single family R-2 developments to the west and the commercial development to the east. In addition, this development is similar to the R-3 townhome development that was recently approved through NZC-21-0295 and is located directly north of the current project site. The proposed project will have less impacts on the area than the approved land use of Commercial General. It will generate less traffic and have a similar use (dwellings) as most of the area.

According to the applicant, the waivers of development standards are appropriate since the development is lower density than typical attached developments. The reduced setbacks to the street are internal to the subdivision street and will not impact the adjacent properties or future residence of the development. Furthermore, the reduced street width is suitable since the streets function as a drive aisle, providing access to garages similar to multiple family developments. The design will meet all fire access requirements and meet turning movement requirements. Lastly, each home will provide a 2 car garage.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	R-3	Approved townhouse planned unit development
South	Commercial General	R-4	Senior housing development
East	Commercial General	C-2	Commercial center
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

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

Related Applications

Application Number	Request
VS-21-0530	A vacation and abandonment of easements and right-of-way on the property is a companion item on this agenda.
TM-21-500152	A tentative map for 78 residential lots on 4.6 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

Current Planning

Zone Change

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

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

According to the applicant, development trends within this portion of the Spring Valley Township have changed over the past few years, with an emphasis toward single family residential development. Most of the property with commercial land use designations north and west of the project site have residential zoning with existing homes. This request appears to be warranted in this area as a transition from residential to commercial zoning to the east and south. In addition, approved R-3 zoning under ZC-21-0295 is located directly north of the current project site.

To the west of the project site are existing single family residential developments that are zoned R-2; however, the land use plan designates this site for Commercial General development. Since 2014 several parcels located between Durango Drive and Brent Thurman Way, and between Russell Road and Post Road that are designated for commercial development in the land use plan have been reclassified into residential zoning districts and developed with single family and multiple family residential developments. The trend in this area is for additional residential development and less commercial development. The proposed zone change to R-3 zoning for single family residential development is consistent and compatible with existing and approved development in this area and is appropriate for this location.

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

According to the applicant, the proposed density and intensity will result in a land use of like intensity when compared to the attached (townhouse) planned unit development directly north of the project site.

The project is bounded to the north by a future attached (townhouse) planned unit development; to the west by an existing R-2 single family residential subdivision; to the south by an R-4 senior housing complex; and to the east by a developed commercial center. Staff finds that the density and intensity of the proposed project, a single family residential development with a density of 16.9 dwelling units per gross acre, are compatible with existing and planned land uses in the surrounding area. Also there remains a demand for housing, particularly for sale housing that is attainable in the southwest; therefore, the proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

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

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated that this development would generate 13 additional elementary school students, 7 middle school students, and 10 high school students. Rogers Elementary School, Sawyer Middle School and Durango High Schools are all currently under capacity and can accommodate the additional students.

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

The applicant indicates this project complies with several of the recently adopted Comprehensive Master Plan Urban Land Use Polices. The project provides amenities such as pedestrian paths, play structures, picnic areas, and a dog park within the complex, which complies with Urban Land Use Policy 51, encouraging developments to provide amenities for residents. Urban Land Use Policies encourage quality townhome developments with certain architectural elements and designs in mind. Specifically, Policy 43b encourages projects that provide varied neighborhood design and/or innovative architecture. Lastly, this request complies with Comprehensive Master Plan Housing Policy 2 to promote a mix of housing types that meet the diverse needs of the community.

Summary

Zone Change

Staff finds that there is a trend changing the character and condition of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse effect on public services or facilities in this area. The proposed project complies with other goals and policies within the Comprehensive Master Plan. Staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary 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 60 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

A planned unit development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhance residential amenities. The design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. The design is unique and innovative in that it allows for individual home ownership

rather than a rental option of an apartment unit or the ownership of airspace like the typical condominium development. To mitigate the impact of the proposed structures, the buildings are designed with variations in height, roof pitch, and other architectural enhancements. Staff finds the proposed development provides an appropriate land use transition to the existing residential development and commercial land uses within the immediate area; therefore, recommends approval of 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.

Waiver of Development Standards #1

The request to reduce the overall area of the PUD is due to a previously dedicated right-of-way which reduced the gross acreage of the project site slightly below the required 5 acre minimum. Staff finds that an 8 percent reduction in area is minimum; therefore, staff recommends approval of this request.

Waiver of Development Standards #2

Staff finds the proposed residential unit and garage setback reductions will have minimal to no impact on this development and will be internal to the site; therefore, staff recommends approval of this request.

Design Review #1

Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design of the residences comply with Urban Land Use Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences to front property lines, varied rooflines, and/or architectural enhancements on all sides. Staff finds the design of the proposed development effective for both pedestrian and vehicular safety and is 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, staff also recommends that the proposed townhomes along the west property line be limited to 2 stories which are adjacent to existing 2 story homes. With this condition of approval, staff can support the overall request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the request to reduce the width of the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #4

Staff has no objection to allowing an "A" curb or Ribbon curb with an inverted crown on the private streets within the proposed subdivision. The applicant must show and provide evidence that this request will not be detrimental to the subdivision.

Waiver of Development Standards #5

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #6

Staff has no objection to the reduction in the distance from the property line to the private residential driveways. The applicant provided open space to act as a buffer between each of the unit blocks to minimize hazards for drivers traveling through the site and exiting the garages.

Waiver of Development Standards #7

Staff has no objection to the reduction in the street intersection offset between Russell Road and Drive "C". This request is common with townhouse subdivisions. Additional common elements are provided, improving visibility and reducing conflicts for vehicles entering the site.

Design Review #2

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 8, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Maximum of 78 residential lots;
- No 3 story townhomes 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; 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.

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 #0359-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: BEAZER HOMES HOLDINGS, LLC

CONTACT: DARRY LATTIMORE, ACTUS, 3203 E. WARM SPRINGS ROAD SUITE 400, LAS VEGAS, NV 89120

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 type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC-21-0528</u> DATE FILED: <u>9-15-21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>10-12-21</u> PC MEETING DATE: <u>11-2-21</u> RE to R-3 BCC MEETING DATE: <u>12-8-21</u> CG FEE: <u>63,780.00</u> JJ NZC21-0295
	PROPERTY OWNER NAME: <u>Gragson-Cactus Highland LLC</u> ADDRESS: <u>8311 West Sunset Road #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u> ADDRESS: <u>2490 Paseo Verde Parkway, Suite 120</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u> E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u> ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u> E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-32-501-006

PROPERTY ADDRESS and/or CROSS STREETS: near southwest corner of South Durango Drive and West Russell Road

PROJECT DESCRIPTION: Single family attached (townhouse) residential development by Beazer Homes

(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.

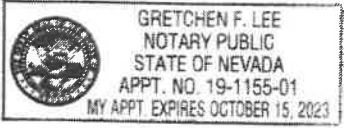
[Signature]
Property Owner (Signature)*

ROBERT M. TORRES
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 14, 2021 (DATE)

By ROBERT M. TORRES
NOTARY PUBLIC: [Signature]



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

August 19, 2021



3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

Clark County Comprehensive Planning
500 South Grand Central Parkway
Box 551744
Las Vegas, NV 89155-1744

N20-21-0528

**Re.: Majestic Point South
Justification Letter for Zone Boundary Amendment (Non-Conforming), Special Use Permit (PUD), and Design Review
APN: 163-32-501-006**

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Zone Boundary Amendment (non-conforming), Special Use Permit (PUD), Waiver of Standards and Design Review for subject property. Majestic Point South will consist of seventy-eight (78) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.62-acre site for a density of 16.9 residential lots per acre. A summation of the requests is stated below and are presented in detail after the summation.

Summary of Requests:

Non-Conforming

Zone Change: C-2 to R-3
Vacation: Per separate application
Special Use Permit: Planned Unit Development (townhomes)
Design Review:

1. Single-Family Attached Residential Townhome Planned Unit Development
2. Increase Finished Grade to 70 inches where 18 inches is standard (289% increase).

Waiver of Standards:

1. Reduce 125-foot intersection offset per *Title 30.52.052.c* to 116 feet (7.2% reduction). **See *Streets and Parking Section* for Justification.**
2. Increase Building Height for three story option to 35 feet 10-inches where 35 feet is required per *Title 30 Table 30.40-3* for Lots 1 to 54 and Lots 75 to 78 (2.4% increase). **See *Floor Plans and Elevations Section* for Justification.**
3. Reduce minimum street width for a private street greater than 150 feet in length than serves more than 1 dwelling unit to 30 feet where a minimum 37 feet with a minimum 36 feet of drivable surface is required per *Title*

- 30.52.030.b.1 (18.9% reduction). **See Streets and Parking Section for Justification.**
4. Allow A-Curb and Ribbon Curb where R-Curb or Roll curb is required and use of inverted crowns within *Uniform Standard Drawing 210.S1*. **See Streets and Parking Section for Justification.**
 5. Reduce distance from property line to driveway to 3 feet where 6 feet is required per *Uniform Standard Drawing 222* (50% reduction) **See Streets and Parking Section for Justification.**
 6. Reduce setback to sidewalk from 10-feet to 1-foot (90% reduction) per *Title 30.24.080C.(d.)*. **See Setbacks/Separations for Justification.**
 7. Reduce corner setback to parking curb from 10-feet to 5 feet (50% reduction) per *Title 30.24.080C.(d.)* **See Setbacks/Separations for Justification.**
 8. Reduce the minimum lot size of a PUD project from 5 gross acres to 4.62 gross acres (7.6% reduction)
 9. Reduce the internal street back of curb radii to 10 feet where 20 feet is required per *Uniform Standard Drawing 201* (50% reduction) **See Streets and Parking Section for Justification.**

Project Description

The project consists entirely of 4.62 acres (gross) and is generally located at the southeast corner of the intersection of Bonita Vista Street and Russell Road. The project site is located in a portion of the West Half (W ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 32, Township 21 South, Range 60 East, MDB&M, Nevada commonly known as APN: 163-32-501-006.

The project site is currently zoned General Commercial (C-2) and has a land use of General Commercial (CG). The parcel is bounded to the north by Russell Road and the proposed Majestic Point Townhome project (proposed zoning of R-3 Townhome with NZC-21-0295, but currently zoned C-2 with a Commercial Neighborhood land use); to the west by an existing single family residential subdivision (zoned R-2 with a Residential Suburban land use designation); to the south by an existing active adult apartment site (zoned R-4 with a General Commercial land use designation); and to the east by existing commercial development (zoned C-2 with a General Commercial land use designation).

Please note that the required 4-foot sidewalks required with the PUD will be provided at the rear of the homes to allow access to the entry of each home. Said sidewalks are provided internally for connectivity and pedestrian circulation within the site.

Non-Conforming Zone Change

The applicant is respectfully requesting a nonconforming zone change from C-2 to R-3 for the subject parcel in support of the proposed townhome development. The Spring Valley Land Use Plan adopted on October 8, 2014 shows the following zoning districts as acceptable with a CG Commercial General designation:

Commercial Residential Transitional (CRT), Office and Professional (C-P), Local Business (C-1), General Commercial (C-2), and Public Facility (P-F)

The proposed R-3 zoning designation appears more compatible within the current CG land use designation than the current zoning designation of C-2 (Commercial General). Please see the Compelling Justification Letter for further discussion of the Non-Conforming Zone Change.

Design Review and Special Use Permit for PUD

The developer is requesting a design review for a proposed townhouse attached residential development, as well as a design review to increase the finished grade in conjunction with the proposed project site. Majestic Point South will consist of seventy-eight (78) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.62-acre site for a density of 16.9 residential lots per acre. Said density does not exceed the maximum density of 18 units per acre allowed within a typical R-3 development within Clark County (*Table 30.40-3*).

Title 30.24.020(1) states that the overall size of a PUD must be a minimum of five (5) gross acres. The project site has historically had a gross acreage of 5 acres. A recent amendment to *Title 30.08 Definitions* has redefined "Acre and Gross Acreage" to not include existing right-of-way dedicated from adjacent parcels. The applicant is asking for a Waiver of Standards to reduce the minimum size of a PUD from 5 gross acres to 4.62 gross acres (a 7.6% reduction as requested per **Waiver of Development Standards #8**).

The PUD will not adversely affect the surrounding property. Development of this infill parcel is compatible and harmonious with adjacent uses as there is an existing single family residential community (zoned R-2) west of the project site. The building heights and material of the proposed buildings are compatible with the surrounding communities. This community will propose alternative setbacks and development waivers conducive with a townhome development, but compensation for said requests will be providing future residents with more than twice the required amount of interior open space to promote an active, healthy lifestyle. The project site will have like transitioning by maintaining appropriate buffering and similar building heights.

The project site will utilize a 42.5-foot wide private street (37.5-foot wide curb to curb with a 5-foot sidewalk on one side of the street) for entry into the project site and internal private drives (30-foot wide with A-type or ribbon curb; no parking either side of the drive) that will have a one access point to Russell Road. Lots within the project site development range in size from 1,132 gross square feet to 1,258 gross square feet with an average lot size of 1,213 square feet.

Setbacks/Separations

The applicant is requesting the following modified setbacks (not including architectural encroachments) with the PUD:

- Front (Garage) Setback: 4 feet min and 5 feet max to private drive
- Front (Living) Setback: 4 feet to living to private drive
- Rear Living Setback: 5.25 feet to Common Element
- Rear Porch/Patio Setback: 0 feet to Common Element (leading edge)
- Side Setback: 0 feet between units

The setbacks required are conducive with a townhome development. All of the setbacks are internal to the project site while the perimeter setbacks are maintained to not negatively impact surrounding communities. The 4' and 5' driveway lengths allow the developer to create open space within the center of the project and is a similar request from other townhome developments. Please see the *Streets and Parking* section below for further discussion on relocation of the typical sidewalks required in a PUD. The minimum sidewalk separation of 1 foot is generated from the sidewalk (**Waiver of Development Standards #6**), but is typically 3 feet from the proposed property lines and 4 feet from the building foundation at the side of the buildings. The distance from the townhome property line to the parking curb line (corner) will be 5 feet in lieu of the required 10 feet (**Waiver of Development Standards #7**). The rear living area is approximately 8.25 feet from the sidewalk (3 foot to lot line and 5.25 feet in the townhome lot) as per the *Setback/Separation Exhibit* on Site Plan Sheet SP2.

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. There will be several areas where the elevations have been raised more than 18 inches vertically, with a maximum fill of 70 inches within the project site generally located near the center of the site. The increase in elevation is due to typical grading constraints as evidenced by the current west-east cross-section. Please note that the elevation of the existing residential subdivision to the west was raised approximately seven feet to accommodate a storm drain system that drains to the southwest corner of the current project site.

Open Space and Pedestrian Circulation

The landscape plan provided depicts a centralized amenity area within Common Element B. It contains a gazebo, picnic tables, BBQs, benches and a tot lot playground. A secondary area near the project entry will include a dog park area. Each rear elevation will face a minimum 10-foot wide common element, but is typically a 15-foot wide common element. All of landscaping within Majestic Point South (both in the common elements and the yard areas) will be maintained by the homeowner's association so that the community will remain cohesively and properly maintained. Pedestrian circulation is maintained via proposed four-foot wide sidewalks throughout the community.

Streets and Parking

As justification for **Waiver of Development Standards #3**, please note that the proposed 30-foot wide private drive section with no parking allowed will maintain more clearance within the fire apparatus accessway than a typical 37-foot wide Clark County private street section with parking allowed. Parking will only be allowed in garages and within off-street parking stalls. The 30-foot width meets the minimum LVVWD easement widths and will meet all fire access/turning movements.

In addition, the developer is requesting that USD 210.S1 be modified (**Waiver of Development Standards #4**) to allow for A-Curb, ribbon curb, and the use of inverted crowns (see Detail 4 of Site Plan sheet SP3). The inverted crown street section will allow storm runoff to collect in the center of the road in lieu of adjacent to the proposed building garages. The inverted crown is also a smoother transition into the driveway and garage of the buildings. R-Curb/Roll Curb are not required with use of the inverted crown since a 2-foot valley gutter conveys runoff within the street.

The distance from property line to driveway is being requested to be reduced from 6 feet to 3 feet (**Waiver of Development Standards #5**). The wet utility and dry utility designs for this type of product vary from typical single family detached product and 6 feet isn't necessary to provide all necessary facilities to the buildings. Reduction of this separation is a typical pattern with single family attached products. The developer is requesting a reduction in the internal street minimum back of curb radii in UDS 201 from 20 feet to 10 feet (**Waiver of Development Standards #9**). Please note that the reduced radii are only being requested adjacent to proposed stub streets (less than 150 feet in length) and that fire access/turning movements are not hindered by this request as fire trucks do not drive down stub streets less than 150 feet in depth.

The required parking for this PUD development per *Title 30.24.080.e.1* is as follows:

Spaces per Unit:	156 garage spaces (2 spaces per each of the proposed 78 Units)
Visitor Parking:	16 spaces (1 space per every 5 Units)
<u>Additional Parking:</u>	<u>32 spaces [1 space for every 5 enclosed parking space (garage) provided]</u>
Cumulative Spaces:	204 spaces

The current project site provides 156 garage spaces and 48 off-street parking spaces for a cumulative 204 spaces to meet the necessary parking requirement for the PUD.

The applicant respectfully requests a waiver of standards with regard to intersection offset from Russell Road to internal Private Drive C (**Waiver of Development Standards #1**), Title 30.52.052(c)). The current right-of-way to right-of-way offset depths for Street A is 116 feet in lieu of the 125 feet stipulated in code (an 7.2% reduction). Future sight visibility easement at both the intersection of Russell Road/Street A and Drive C/Street A will ensure drivers will have adequate movement and safety in the entry way. A similar waiver was discussed in full by CCPW Staff on October 26, 2021 and CCPW would provide their support if the developer agreed to not gate the property.

Floor Plans and Elevations

The developer is proposing four (4) different townhome buildings: one six-Plex, two 5-Plexes, one 4-plex. The proposed two-story homes will range in livable square footage from 1,235 square feet to 2,050 square feet. Each unit will have a widened two-car garage. Each unit will take access to the building via the rear of lot, so the front door of every unit will face a landscaped common element. The elevation materials consist of stucco finished walls and concrete tile roofs. The developer will provide four (4) different architectural elevation styles to each building to provide variety within the community. The elevations meet *Title 30.24.080.b.2* by providing the three of the listed design features: offset garage doors, decks/patio covers, and enhanced window fenestration of all windows facing street/common elements. Please note that floor plans and elevation for the 6-Plex have not been provided at this time since they are similar to the 5-Plex units. The townhomes are modular in nature, therefore design on the elevations will not change with the 6-Plex.

Building Type 3 has a third story option which raises the height of two units of the five unit to 35 feet 10 inches at the top of the roofline (**Waiver of Development Standards #2**). The developer is requesting an additional 10-inches for use of this option within all lots not adjacent to the western boundary line (Lots 1 to 54 and Lots 75 to 78). The third story option provides additional building variation and articulation within the site and the wall height is only a 2.4% increase of code for 40% (2 of 5 units) of the building elevation.

Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,



Darryl C. Lattimore, PE
President

11/02/21 PC AGENDA SHEET

7

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

RUSSELL RD/BONITA VISTA ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0530- GRAGSON-CACTUS HIGHLAND, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Durango Drive and Bonita Vista Street (alignment) and a portion of a right-of-way being Russell Road located between Durango Drive and Bonita Vista Street (alignment) within Spring Valley (description on file). JJ/rk/jd (for possible action)

RELATED INFORMATION:

APN:
163-32-501-006

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans show the vacation and abandonment of 33 foot wide patent easements which are located along the south, east, and west sides of the subject parcel. Additionally, the plans show the vacation and abandonment of a small tapered portion of Russell Road to match the proposed curb on the northern portion of the development. The applicant indicates these easements and rights-of-way are no longer necessary for the proposed development or surrounding area as private and public streets will be constructed to provide proper drainage and access to the development.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	R-3	Approved townhouse planned unit development
South	Commercial General	R-4	Senior housing development
East	Commercial General	C-2	Commercial center
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-21-0528	A nonconforming zone change to reclassify this site to R-3 zoning for a townhouse planned unit development is a companion item on this agenda.
TM-21-500152	A tentative map for 78 residential lots on 4.6 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of patent easements that are not necessary for site, drainage, or roadway development and a portion of right-of-way on Russell Road to accommodate detached sidewalks.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 8, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC

CONTACT: DARRYL LATTIMORE, ACTUS, 3203 E. WARM SPRINGS ROAD SUITE
400, LAS VEGAS, NV 89120

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0530</u>	DATE FILED: <u>9-15-21</u>
		<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Spring Valley</u> PC MEETING DATE: <u>11-2-21</u> BCC MEETING DATE: <u>12-8-21</u> FEE: <u>\$ 875.00</u>

PROPERTY OWNER	NAME: <u>Gragson-Cactus Highland LLC</u>
	ADDRESS: <u>8311 West Sunset Road #110</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u>
	E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u>
	E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____

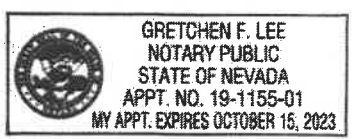
ASSESSOR'S PARCEL NUMBER(S): 163-32-501-006

PROPERTY ADDRESS and/or CROSS STREETS: near southwest corner of S Durango Dr & W Russell Rd

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)*
 STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON July 21, 2021 (DATE)
 By ROBERT TORRES
 NOTARY PUBLIC: [Signature]

ROBERT TORRES
 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.

July 26, 2021



3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

Clark County Comprehensive Planning
500 South Grand Central Parkway
Box 551744
Las Vegas, NV 89155-1744

Re.: **Majestic Point South**
Justification Letter for Vacation of ROW and Patent Easements
APNs 163-32-501-006

VS-21-0530

Dear Staff,

On behalf of our client, Beazer Homes, we are requesting review and approval of a Vacation & Abandonment for the following:

- Existing onsite patent easements.
- A tapered portion of existing Russell Road right-of-way to match proposed curb.

Majestic Point South will consist of seventy-eight (78) single family attached (townhouse) residential lots and four (4) common lots encompassing the entire 4.62-acre site for a density of 16.9± residential lots per acre. The project is generally located at the south of the of the intersection of Bonita Vista Street and Russell Road. In addition, there is an existing 30 foot by 30 foot privately maintained drainage area per Clark County Recorder Book 20181102 Instrument 242 that will be relinquished at a later date once a future site specific technical drainage study determines an alternate drainage route through the project site.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darryl C. Lattimore'.

Darryl C. Lattimore, PE
President

8

11/02/21 PC AGENDA SHEET

MAJESTIC POINT SOUTH
(TITLE 30)

RUSSELL RD/BONITA VISTA ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500152-GRAGSON-CACTUS HIGHLAND, LLC:

TENTATIVE MAP consisting of 78 single family residential lots and common lots on 4.6 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the south side of Russell Road and the east side of Bonita Vista Street (alignment) within Spring Valley. JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:
163-32-501-006

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.6
- Number of Lots: 78
- Density (du/ac): 16.9
- Minimum/Maximum Lot Size (square feet): 1,132/1,258
- Project Type: Attached (townhouse) planned unit development

The plans depict a gated residential development totaling 78 single family attached townhome lots and 4 common area lots on 4.6 acres. The density of the overall development is shown at 16.9 dwelling units per acre. The project is made up of 4 plex, 5 plex, and 6 plex buildings designed around 30 foot wide private streets. The street network consists of 1 main drive with a loop street around the center of the project. The townhomes are designed with garages facing the private streets. The development will be served by a single point of ingress/egress to the north from Russell Road. A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, tot-lot playground equipment, gazebo, picnic tables, barbeques, benches, and a dog park. Parking will consist of garage parking for residents and designed surface off-street parking for visitors. Approximately 48 parking spaces are shown for the visitors and 156 parking spaces are provided for the residents.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	R-3	Approved townhouse planned unit development
South	Commercial General	R-4	Senior housing development
East	Commercial General	C-2	Commercial center
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-21-0528	A nonconforming zone change to reclassify this site to R-3 zoning for a townhouse planned unit development is a companion item on this agenda.
VS-21-0530	A vacation and abandonment of easements and right-of-way on the property is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 8, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; 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.

Current Planning Division - Addressing

- Private streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided.

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 #0359-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC

CONTACT: DARRYL LATHMORE, ACTUS, 3203 E. WARM SPRINGS ROAD SUITE 400, LAS VEGAS, NV, 89120

8



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500152</u>	DATE FILED: <u>9.15.21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>RK</u>	TABCAC DATE: <u>10-12-21</u>
		TABCAC: <u>Spring Valley</u>	PC MEETING DATE: <u>11-2-21</u>
		BCC MEETING DATE: <u>12-8-21</u>	FEE: <u>\$750.00</u>
		RE to R.3	CG
		JJ	NZC 21.0295

PROPERTY OWNER	NAME: <u>Gragson-Cactus Highland LLC</u>
	ADDRESS: <u>8311 West Sunset Road #110</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Beazer Homes</u> Contact: <u>Jeff Lesnick</u>
	ADDRESS: <u>2490 Paseo Verde Parkway, Suite 120</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>702-802-4428</u> CELL: <u>702-802-4428</u>
	E-MAIL: <u>Jeff.Lesnick@Beazer.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus</u> Contact: <u>Darryl Lattimore</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x101</u> CELL: <u>702-403-4174</u>
	E-MAIL: <u>Darryl.Lattimore@Actus-NV.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-32-501-006

PROPERTY ADDRESS and/or CROSS STREETS: near southwest corner of South Durango Drive and West Russell Road

TENTATIVE MAP NAME: _____

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.

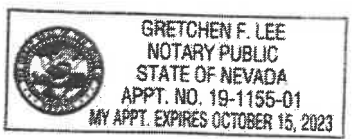
[Signature] Property Owner (Signature)* Robert M. Torres Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 14, 2021 (DATE)

By Robert M. Torres

NOTARY PUBLIC: [Signature]



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

11/02/21 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

SUNSET RD/CIMARRON RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0504-UNLV RESEARCH FOUNDATION:

VACATE AND ABANDON a portion of a right-of-way being Sunset Road located between Jim Rogers Way and Cimarron Road within Spring Valley (description on file). MN/jgh/jo (For possible action)

RELATED INFORMATION:

APN:
163-33-401-025

LAND USE PLAN:
SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description

The subject parcel within Spring Valley is located on the north side of Sunset Road between Jim Rogers Way and Cimarron Road. The 5 feet of right-of-way being vacated is a portion of Sunset Road on the south portion of the site. The applicant indicates this request will allow 5 feet of previously dedicated right-of-way to be vacated to back of curb, per current Clark County Public Works standards for detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0065	Office as a principle use with increased building height, alternative landscaping, and modified driveway design standards	Approved by BCC	April 2021
WC-21-400022 (ZC-16-0245)	Waived conditions of a zone change requiring right-of-way dedication	Approved by BCC	April 2021
VS-0875-16	Vacated and abandoned easements located between Sunset Road and Post Road	Approved by PC	February 2017
WS-0745-16	Waived street landscaping and off-site improvements along Cimarron Road and Sunset Road	Approved by BCC	January 2017
VS-0746-16	Vacated and abandoned a portion of right-of-way being Cimarron Road - recorded	Approved by BCC	January 2017

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0745-16	Waived street landscaping and off-site improvements in conjunction with a design review for an office/warehouse building - expired	Approved by BCC	January 2017
VS-0533-16	Vacated and abandoned patent easements	Withdrawn	September 2016
ZC-0245-16	Reclassified 5.1 acres from R-E to M-D zoning for an office/warehouse building	Approved by BCC	June 2016
VS-0959-14	Vacated and abandoned a portion of a cul-de-sac which was part of Jim Rogers Way - recorded	Approved by PC	February 2014
UC-0448-08 (ET-0095-10)	First extension of time for public/quasi-public buildings and facilities for offices, laboratories, manufacturing (pharmaceutical), university related facilities, and ancillary uses with a reduction in parking and allow alternative screening and buffering on a portion of 122 acres in CMA - expired	Approved by BCC	August 2010
VS-1398-07 (ET-0356-09)	First extension of time to vacate patent easements and right-of-way for Gagnier Street and Sobb Avenue - recorded	Approved by PC	February 2010
UC-0448-08	Public/quasi-public buildings and facilities for offices, laboratories, manufacturing (pharmaceutical), university related facilities, and ancillary uses with a reduction in parking and allow alternative screening and buffering on a portion of 122 acres in CMA	Approved by BCC	June 2008
TM-0103-08	UNLV Harry Reid Research and Technology campus - expired	Approved by PC	June 2008
VS-1398-07	Vacated patent easements and right-of-way for Gagnier Street and Sobb Avenue	Approved by PC	January 2008
ZC-1715-05	Reclassified 122 acres from R-E, R-2 & R-3 to M-D zoning	Approved by BCC	December 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D & R-E	Undeveloped
South	Business and Design/Research Park & Commercial General	C-2 & R-4	Office buildings & multiple family residential
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business and Design/Research Park	M-D	Office building

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 the Sunset Road right-of-way to accommodate 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: UNLV RESEARCH FOUNDATION
CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE, STE
100, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0504</u>	DATE FILED: <u>9/8/2021</u>
		PLANNER ASSIGNED: <u>JGH</u>	TAB/CAC DATE: <u>10/12/2021</u>
<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 #):		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>11/2/2021</u>	
		BCC MEETING DATE: _____	<u>6:30pm</u>
		FEE: <u>\$ 875</u>	

PROPERTY OWNER	NAME: <u>UNLV Research Foundation</u>
	ADDRESS: <u>8400 W SUNSET RD, SUITE 400</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-895-5598</u> CELL: _____
	E-MAIL: <u>BO.BERNHARD@UNLV.EDU</u>

APPLICANT	NAME: <u>Gardner Company</u>
	ADDRESS: <u>2600 Paseo Verde Pakrway, #150</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89077</u>
	TELEPHONE: <u>702-595-5588</u> CELL: _____
	E-MAIL: <u>dan@stewartnv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Hannah Swan / Westwood Professional Services</u>
	ADDRESS: <u>5725 W. Badura Ave. #100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u> CELL: <u>702-738-4655</u>
	E-MAIL: <u>lvproc@westwoodps.com/hannah.swa@westwoodps.com</u> REF CONTACT ID #: _____

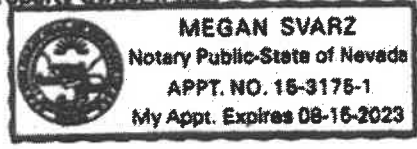
ASSESSOR'S PARCEL NUMBER(S): 163-33-401-025

PROPERTY ADDRESS and/or CROSS STREETS: Sunset / cimarron

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)*
 STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JULY 7, 2021 (DATE)
 By MEGAN SVARZ
 NOTARY PUBLIC [Signature]

BO BERNHARD
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.

Westwood

5725 W. Badura Ave, Suite 100
Las Vegas, NV 89118

main (702) 284-5300

**PLANNER
COPY**

July 22, 2021

VS-21-0504

Clark County Public Works
500 Grand Central Parkway
Las Vegas, Nevada 80206

Re: UNLV Tech Park Building 2 – Right-of-Way Vacation
File GCI2101.000

Dear Staff:

Westwood Professional Services on behalf of our client, Gardner Company, respectfully submits this justification letter with an application for a Right-of Way Vacation. The vacation area is on the north side of W. Sunset Road between Jim Rogers Way and S. Cimarron Road. The APN number is 163-33-401-025.

This application will allow 5' of previously dedicated right-of-way to be vacated to back of curb per current Clark County Public Works standards for offset sidewalks. Easements will be provided in concurrence with civil improvement plans.

Please contact me if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Thomas D. Miller
Sr. Project Manager

11/02/21 PC AGENDA SHEET

RIGHTS-OF-WAY
(TITLE 30)

PATRICK LN/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0514-SPIRITUAL ASSEMBLY OF THE BAHA'IS OF SPRING VALLEY:

VACATE AND ABANDON a portion of a right-of-way being Jones Boulevard located between Patrick Lane and Post Road and a portion of right-of-way being Patrick Lane located between Jones Boulevard and Red Rock Street within Spring Valley (description on file). MN/jgh/jd (for possible action)

RELATED INFORMATION:

APN:

163-36-301-001

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

The subject parcel within Spring Valley is located at the southeast corner of Patrick Lane and Jones Boulevard. The public right-of-way was dedicated to Clark County but is no longer required since the project has changed to include detached sidewalks. The plans indicate two segments being vacated for this request, both measure 5 feet in width and are located along the north and west property lines of APN 163-36-301-001.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-00056 (UC-18-0955)	Extension of time for a proposed place of worship with modified street and driveway design standards	Approved by PC	June 2021
UC-18-0955	Proposed place of worship with modified street and driveway design standards	Approved by PC	February 2019

Surrounding Land Use

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Public Facilities	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of the portion of right-of-way for Jones Boulevard and Patrick Lane to accommodate 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include a 54 foot property line spandrel on the northwest corner of the site;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Coordinate with Clark County Public Works - Design Division for the Jones Boulevard improvement project,
- Dedicate any right-of-way and easements necessary for the Jones Boulevard 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 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: SPIRITUAL ASSEMBLY OF THE BAHÁ'Í'S OF SPRING VALLEY

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

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0514</u>	DATE FILED: <u>9/14/2021</u>
<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 #): _____		PLANNER ASSIGNED: <u>J G H</u> TAB/CAC: <u>Spring valley</u> PC MEETING DATE: <u>11/2/21</u> BCC MEETING DATE: _____ FEE: <u>\$875</u>	TAB/CAC DATE: <u>10/12/21</u> <u>6:30pm</u>

PROPERTY OWNER	NAME: <u>Spiritual Assembly Of The Baha'is Of Spring Valley</u> ADDRESS: <u>9508 S BREWING CLOUD AVE</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 496-4555</u> CELL: _____ E-MAIL: _____
-----------------------	---

APPLICANT	NAME: <u>Blue Diamond Engineering / Philip Wakefield, PE</u> ADDRESS: <u>9816 Gillespie St, Building E, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.478.8580</u> CELL: _____ E-MAIL: <u>pwakefield@bdce-lv.com</u> REF CONTACT ID #: _____
------------------	--

CORRESPONDENT	NAME: <u>Blue Diamond Engineering / Philip Wakefield, PE</u> ADDRESS: <u>9816 Gillespie St, Building E, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.478.8580</u> CELL: _____ E-MAIL: <u>abaca@bdce-lv.com</u> REF CONTACT ID #: _____
----------------------	---

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

PROPERTY ADDRESS and/or CROSS STREETS: Jones and Patrick

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)*

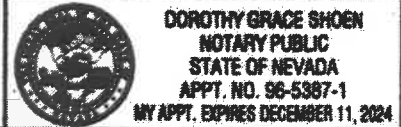
Rustam Roohani - Secretary
 Property Owner (Print)

STATE OF NEVADA COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 7/26/21 (DATE)

By Rustam Roohani - Secretary

NOTARY PUBLIC: Dorothy Grace Shoen



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

VS-21-0514



PLANNER
COPY

July 29, 2021

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

**Re: Justification Letter for Jones & Patrick
Request to Vacate**

To Whom It May Concern:

Blue Diamond Civil Engineering, on behalf of our client, formally requests Clark County to allow the vacation of a portion of public right of way (APN: 163-36-301-001). The public right of ways that are referenced are both sidewalks located along Jones Blvd and Patrick Lane. The public right of way was dedicated to Clark County per Instrument Number 0023-0018096, Official Records of Clark County, Nevada. The right of way area is no longer required since the project has changed to include detached sidewalks. We respectfully request your review and support for approval of this vacation, as it is essential for the success of this project. The project is located on an approximate 1.86-acre parcel located at the corner of Jones Blvd and Patrick Lane. (APN 163-36-301-001)

I trust this satisfies your concerns regarding this project. If there are any questions or additional information necessary, please contact this office.

Sincerely,

Blue Diamond Civil Engineering

Angela Baca

Angela Baca
Project Coordinator

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

11/02/21 PC AGENDA SHEET

SIGNAGE
(TITLE 30)

RENO AVE/FORT APACHE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0505-FAR APARTMENTS OWNERS SPE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a freestanding sign where not allowed; and 2) allow wall signs where not allowed.

DESIGN REVIEW for signage in conjunction with an apartment complex on 6.3 acres in an R-5 (Apartment Residential) Zone.

Generally located on the north side of Reno Avenue, 180 feet west of Fort Apache Road within Spring Valley. JJ/jvm/jd (For possible action)

RELATED INFORMATION:

APN:
163-30-513-005

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5055 & 5065 S. Fort Apache Road
- Site Acreage: 6.3
- Number of Units: 206
- Density (du/ac): 33
- Project Type: Multiple family residential
- Number of Stories: 3
- Building Height (feet): 42
- Open Space Required/Provided: 21,800/74,923
- Parking Required/Provided: 338/338

Site Plan

The plan depicts a multiple family residential development consisting of 206 units with a density of 33 dwelling units per acre. The proposed development consists of 2 residential buildings centrally located on the site with parking distributed along the perimeter. The site has direct access to Reno Avenue and indirect access to Fort Apache Road via shared access with the existing retail development on the adjacent parcels to the east. The Fort Apache Road driveway

will be the primary access for the project, which is gated. A leasing office, clubhouse, and pool area are located between the 2 residential buildings.

Landscaping

A 10 foot wide landscape area adjacent to an attached sidewalk is located along Reno Avenue. A 10 foot wide landscape area with a single row of trees spaced 20 feet apart is located along the north, east, and west property lines. Interior parking lot trees are distributed throughout the site and additional landscaping is located adjacent to the buildings. A total of 74,923 square feet of open space is provided including the pool area located to the west of the clubhouse building, and a courtyard located in the middle of Building 1, the northern building. Landscape materials include trees, shrubs, and groundcover. There is an existing 6 foot high CMU block wall along the western property line and a proposed 6 foot high, decorative fence located along the north, east, and south property lines.

Elevations

The residential buildings are 3 story with flat roofs behind parapet walls with a varied roofline. The exterior walls have a stucco finish painted in various shades of gray. The residential buildings are designed with various pop-outs, recesses, CMU finish, aluminum storefront treatments, metal panels, metal canopies, and varying roof heights on all sides of the buildings to break-up the vertical and horizontal lines of the buildings. The clubhouse is a 22 foot high, single story building with a flat roof and facade similar to the residential buildings.

Floor Plans

The residential buildings consist of 133, one bedroom units; 64, two bedroom units; and 9, three bedroom units. The clubhouse includes a leasing office, club room, fitness area, and other accessory uses.

Signage

The applicant is proposing 1 freestanding sign and 2 wall signs in conjunction with a previously approved apartment complex. The freestanding sign is essentially a monument sign, but because of the height (11 feet), and size (90 square feet), it is classified as a freestanding sign and is proposed to be located at the main entrance off of Fort Apache Road. The 2 wall signs are 39 square feet each and are located on each of the 2 buildings and will face east toward the commercial complex and Fort Apache Road.

Applicant's Justification

The applicant states that the proposed signs are compatible with the commercial development in the area and match the applicants branding throughout their sites in Southern Nevada.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0333	Waiver with a design review for reduced parking and a vehicle access gate	Approved by BCC	September 2020

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0479	Reclassified 6.3 acres from C-2 to R-5 zoning with a design review for a multiple family residential development	Approved by BCC	September 2018
DR-0110-08	Shopping center - expired	Approved by PC	March 2008
DR-0620-01	Shopping center on this site and the adjacent developed parcels to the east - expired	Approved by PC	June 2001
ZC-1515-00	Reclassified the eastern portion of the subject site and the adjacent parcels to the east to C-2 zoning	Approved by PC	November 2000
ZC-1749-99	Reclassified the western portion of the subject site and the adjacent parcels to the north to C-2 zoning	Approved by PC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial General	C-2	Shopping center
South	Commercial General & Residential Suburban (up to 8 du/ac)	C-2 & R-2	Shopping center & single family residential
West	Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Waivers of Development Standards #1 and #2

Staff finds that both the freestanding sign and wall signs are in keeping with the scale and design of the apartment complex. The proposed signs will not have a negative impact on this site or any of the surrounding developments which are primarily commercial development to the east of the proposed signage; therefore, staff can support these requests.

Design Review

Staff finds that the proposed wall signs are in keeping with the scale of the project and will not negatively impact any of the commercial developments to the east while still providing some visibility of the apartments from Fort Apache Road. The freestanding sign will act more like a monument/project identification sign and will be almost entirely not visible from Fort Apache Road; therefore, staff can support the design review.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: FAR APARTMENTS OWNER SPE, LLC

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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	APP. NUMBER: <u>WS-21-0505</u> DATE FILED: <u>9/8/21</u> PLANNER ASSIGNED: <u>JVM</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: <u>11/2/21</u> BCC MEETING DATE: _____ FEE: <u>\$1,150</u>
	PROPERTY OWNER	NAME: <u>FAR Apartments Owner SPE LLC</u> ADDRESS: <u>10777 W. Twain Ave., #115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-947-2000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>000-000-0000</u>
	APPLICANT	NAME: <u>FAR Apartments Owner SPE, LLC</u> ADDRESS: <u>10777 W. Twain Ave #115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-947-2000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>johnson@thevalidagroup.com</u> OFF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT	NAME: <u>Kaempfer Crowell Tony Celeste</u> ADDRESS: <u>1900 Festival Plaza Dr #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-693-4215</u> E-MAIL: <u>aj@kenwlaw.com</u> recontact id <u>104674</u>

ASSESSOR'S PARCEL NUMBER(S): 163-30-513-005
 PROPERTY ADDRESS and/or CROSS STREETS: 5055 South Fort Apache, Las Vegas, NV 89148
 PROJECT DESCRIPTION: Signage for Multi-Family Residential 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 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. (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.

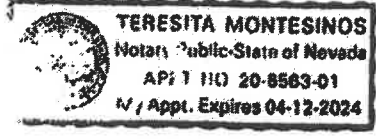
[Signature]
 Property Owner (Signature)

Eric Cohen
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 14, 2020 (DATE)
 By Eric Cohen

NOTARY PUBLIC: Teresita Montesinos [Signature]



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

KALMPTER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 656
Las Vegas, NV 89136
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.652.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.684.8300
Fax: 775.682.0257

August 6, 2021

VIA UPLOAD

CLARK COUNTY DEPARTMENT OF
COMPREHENSIVE PLANNING
500 S. Grand Central Parkway
Las Vegas, Nevada 89106

WS-21-0505

**Re: Justification Letter – Design Review for Signage and Waivers of Development Standards to Allow for a Freestanding Sign Height and Wall Signage in Residential Zoned District Where Not Allowed
Calida Residential
APN: 163-30-513-005 (Near the NWC of Fort Apache Road and Reno Avenue.)**

To Whom It May Concern:

Please be advised our office represents Calida Residential (the "Applicant"). By way of background, the BCC approved a multi-family development, via NZC-18-0479, on property located on the north side of Reno Avenue just west of Fort Apache Road, more particularly described as APN: 163-30-513-005 (the "Site"). The Applicant is now requesting a design review for signage which also includes waiver of development standards to allow for a freestanding sign (although more analogous to a project identification sign) and allow wall signage. The Applicant is requesting the following on-premises signs:

- **Freestanding Sign** – The Applicant is requesting one (1) freestanding although much more analogous to a project identification sign. The sign (Sign 1) is located along the internal drive aisle into the Site from the commercial development east of the Site. The sign will say "ely"; the name of the development. The wording will sit on a CMU block that is only a few feet in height. The application is requesting a height of up to 11' (by way of example project identification sign's allowed height is 10'), the sign is predominately less than 7' in height. The additional height is to incorporate the dramatic flare over the letter "y" and the balance of the letter "l". The square footage for the sign is approximately 90 square feet. The modest increase in height and square footage will have no adverse to the community in particular because the sign is facing towards a commercial complex and Fort Apache Road.
- **Wall Sign** – The Applicant is requesting two (2) wall signs. One wall sign (Sign 2A) is located on the wall/elevation of the north building and the second wall sign (Sign 2B) is located on the wall/elevation of the south building. Both wall signs face east towards the commercial property and Fort Apache Road. Each sign's total square footage is approximately 39 square feet. The Site is behind the existing commercial development with no frontage along Fort Apache Road. As a result, the Applicant is requesting the wall signs for visibility to Fort Apache Road.

- **Pool Sign** – The Applicant is requesting one (1) sign near the pool area. The sign (Sign 3) is located internally to the Site and is not visible from any of the right-of-ways. The sign is approximately 27 square feet. The sign meets all Title 30 standards.

The proposed signage is internally light with LED. The proposed signage is compatible to the approved commercial development that is north and east of the Site. Additionally, the proposed signage matches the Applicant's branding throughout their sites in Southern Nevada.

We thank you in advance for your time and consideration.

Sincerely,

KAEMPFER CROWELL



Anthony V. Celeste

AJC/amp

12

11/03/21 BCC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

TOMPKINS AVE/FORT APACHE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0515-MIDDLEPOINT, LLC:

USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); 2) reduced separation for a supper club from a residential use; and 3) reduced separation for outside dining areas from a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) shopping center; 2) alternative parking lot landscaping; and 3) finished grade on 4.2 acres in a C-1 (Local Business) Zone in the CMA Design Overlay District.

Generally located on the northwest corner of Tompkins Avenue and Fort Apache Road within Spring Valley. JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:
163-19-717-006; 163-19-717-007

USE PERMITS:

1. On-premises consumption of alcohol (supper club).
2. Reduce the separation for a supper club from a residential use to 155 feet where 200 feet is the standard per Table 30.44-1 (a 22.5% reduction).
3. Reduce the separation for outside dining areas from a residential use to 155 feet where 200 feet is the standard per Table 30.44-1 (a 22.5% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit a minimum 14 foot wide landscape area along Fort Apache Road where a minimum 15 foot wide landscape area is required per Section 30.64.030 (a 6.7% reduction).
2. Reduce driveway throat depth to a minimum of 13 feet where 100 feet is required per Uniform Standard Drawing 222.1 (an 87% reduction).

DESIGN REVIEWS:

1. A shopping center with in-line retail buildings and a free standing restaurant.
2. Permit an alternative parking lot landscape design where parking lot landscaping is required per Figure 30.64-14.

3. Increase finished grade to 72 inches (6 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.2
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 39,936
- Parking Required/Provided: 205/205

Site Plan

The plan depicts a shopping center consisting of 2 in-line retail buildings and a freestanding restaurant. This project is an expansion of the existing shopping center to the north and shared access will be provided between the 2 properties. In addition to the shared access with the shopping center to the north, access to this site will be provided by 2 driveways from Fort Apache Road and 2 driveways from Tompkins Avenue. The freestanding restaurant is located on the southeast corner of the site and will have an outside dining area on the east side of the building facing Fort Apache Road. The restaurant building is set back 24 feet from Tompkins Avenue and 16 feet from Fort Apache Road to the outside dining area. The smaller of the 2 in-line retail buildings is located on the northeast corner of the site and is set back 18 feet from Fort Apache Road. There is an outside dining area on the west side of this building that is 155 feet from the existing residential development to the west. The larger in-line retail building is located on the western portion of the site and is set back approximately 83 feet from Tompkins Avenue and 35 feet from the west property line. Parking for the shopping center is located to the east of the larger in-line retail building and between the other 2 buildings.

Landscaping

There is an existing attached sidewalk along Fort Apache Road which is an arterial street. Code requires that when attached sidewalks are provide along collector or arterial streets the adjacent landscape area is to be 15 feet wide. The plans show the landscape area along Fort Apache Road is a minimum of 14 feet in width and consists of trees, shrubs, and groundcover. The plan depicts an 11 foot wide landscape area consisting of 2 off-set rows of large Evergreen trees located along the west property line, which is adjacent to existing single family residential development. Landscaping along Tompkins Avenue is a minimum of 10 feet wide and consists of trees, shrubs, and groundcover. Additional landscape areas consisting of trees, shrubs, and groundcover are located within the parking lot areas. The placement of these landscape areas within the parking lot is not in compliance with the standards of Figure 30.64-14; however, the required number of trees for the parking lot area are being provided throughout the site.

Elevations

All of the buildings are 1 story. The largest of the in-line retail building has a flat roof behind parapet walls. The parapet walls vary in height to break-up the roofline. With architectural features the height of the building varies from 24 feet to 35 feet. The exterior of this building consists of a stucco finish painted in earth tone colors, stone veneer, and glass and aluminum store fronts for the lease spaces.

The smaller of the in-line retail building has a flat roof behind parapet walls that also varies in height to break-up the roofline. This building varies between 22 feet to approximately 27 feet in height. The exterior of this building consists of a stucco finish painted in earth tone colors, stone veneer, and glass and aluminum store fronts for the lease spaces.

The restaurant has a combination of a flat roof behind parapet walls and pitched roofs. The height of the buildings varies between 21 feet to approximately 30 feet. The portions of the roof that are pitched have concrete tile roofing material. The exterior of this building consists of a stucco finish painted in earth tone colors, stone veneer, and glass and aluminum store fronts.

Floor Plans

The shopping center has a total area of 39,936 square feet divided between the 3 buildings. The larger in-line retail building has an area of 29,505 square feet and can be divided into 24 lease spaces. The smaller in-line retail building has an area of 5,000 square feet and can be divided into 4 lease spaces. The restaurant has an area of 5,431 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this shopping center is an expansion of the existing shopping center to the north and this site has been designed to be consistent with the design of the existing shopping center. The use of the site as a shopping center and the design of the site are consistent and compatible with existing developments in this area. The increase in finished grade is necessary to level the site in order to provide proper drainage. The alternative parking lot landscape design is being requested for the following reasons: 1) arrange parking areas to mitigate for the reduced driveway throat depths; 2) provide pedestrian connections through this site and connect to the shopping center to the north; and 3) to match the parking and drive aisles with the shopping center to the north. The driveway locations are existing and the alternative driveway geometrics are being requested to accommodate these existing driveway locations and to tie this site into the existing shopping center to the north. The reduction in the separations for the supper club and outside dining areas only effects a few lots within the residential development to the west. Most of the homes in the residential development are being buffered from these uses by the larger in-line retail building. The few homes that would be affected by the proposed reduction are buffered from this site by an intense landscape area located along the western property line. Additional landscaping within the parking lot and adjacent to the buildings will provide additional buffering to the residences.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0024-97	Reclassified this site to C-1 zoning and the shopping center to the north to C-2 zoning for a shopping center	Approved by BCC	March 1997

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Shopping center
South	Commercial Neighborhood	C-1	Undeveloped
East	Commercial General	C-2	Office building & bank building
West	Residential Suburban (up to 8 du/ac)	R-E & R-1	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current 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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permits #1 & #2

Supper clubs have been found to be compatible uses within shopping centers, and in shopping centers in close proximity to residential developments. The proposed supper club is located on the southeast corner of this site. The proposed reduction in the separation to a residential use is to 1 single family residence to the west. A portion of the supper club will be buffered from this residence by the larger in-line retail building. There is an existing intense landscape buffer consisting of 2 off-set rows of large Evergreen trees located along the west property line of this shopping center which will help to mitigate the reduced separation. Between the property line and the supper club are parking areas with landscape islands which will provide added mitigation for the separation reduction. Therefore, staff finds that the in-line retail building, the landscaping along the west property line, and landscaping within the parking areas between the supper club and the existing residence will mitigate the impacts of the reduced separation to the existing residence. Therefore, staff finds that this location is appropriate for the supper club and will not result in an undue adverse effect on adjacent properties and supports these use permits.

Use Permit #3

This proposed reduction is for an outside dining area located on the west side of the smaller in-line retail building located on the northeast corner of the site. The majority of this outside dining area is buffered from the existing residential development to the west by the larger in-line retail building. However, there is a gap between the proposed larger in-line retail building in this

shopping center and an existing in-line retail building in the shopping center to the north. From this gap there are 2 existing residences that could be impacted by the reduction in the separation to the outside dining area. Within this gap are some landscape areas which will provide some buffering to these residential uses. Aerial photographs show additional landscaping within the rear yards of these existing residences which will also help to mitigate the separation reduction. Additionally, there is an existing drainage channel between the residences which does not increase the separation to the property lines of these residential uses but does increase the separation to the homes themselves. Therefore, staff can support this 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.

Waiver of Development Standards #1

If there was not an existing attached sidewalk along Fort Apache Road, a landscape buffer per Figure 30.64-17 would be required along the street. This would require from what would typically be back of curb a total of 15 feet which would include a 5 foot wide detached sidewalk with 5 feet of landscaping (10 feet total) on each side of the sidewalk. The proposed plan from back of curb is depicting a 5-foot wide sidewalk with 14 feet of landscaping, 19 feet total distance for the back of curb. The plan indicates that the required trees, shrubs, and groundcover are being provided within the landscape area. Staff finds that the proposed reduction will not have a negative impact on the adjacent properties and the intent of Code for landscaping is being complied with. Therefore, staff can support this waiver.

Design Reviews #1 & #2

Staff finds the design of the proposed shopping center is consistent and compatible with existing developments in this area. The proposed alternative parking lot landscape design will match the existing shopping center to the north and will help to tie the 2 properties together into a more cohesive development. The proposed alternative parking lot landscape design also complies with the intent for landscaping per Code. Therefore, staff can support these design reviews.

Public Works - Development Review

Waiver of Development Standards #2

Staff can support the request to reduce the throat depth for all of the driveways. The applicant worked with staff to remove parking spaces to make access to the site safer.

Design Review #3

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

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; 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.
- 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.

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 #0223-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MIDDLEPOINT, LLC
CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

12

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <u>675</u> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675</u> <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 APP. NUMBER: <u>UC-21-0515</u> DATE FILED: <u>9-14-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>10-12-21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-3-21</u> FEE: <u>\$1825.00</u>
	PROPERTY OWNER NAME: <u>Middlepoint, LLC, ET AL / Via Avenue LLC</u> ADDRESS: <u>4395 S. Cameron Street, Suite C</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 871-0816</u> CELL: <u>(702) 871-0816</u> E-MAIL: <u>tchikami@yahoo.com</u>
	APPLICANT NAME: <u>Middlepoint, LLC, ET AL</u> ADDRESS: <u>4395 S. Cameron Street, Suite C</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 871-0816</u> CELL: <u>(702) 871-0816</u> E-MAIL: <u>tchikami@yahoo.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-19-717-006 & 007

PROPERTY ADDRESS and/or CROSS STREETS: NWC S. Ft. Apache Rd. and W. Tompkins Ave.

PROJECT DESCRIPTION: Shopping center with in-line retail building and two pad sites

(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.

Tracey E. Chikami
Property Owner (Signature)*

Tracey E. Chikami
Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC: See Affidavit For Notary

*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-21-100032

CALIFORNIA 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 Los Angeles

Subscribed and sworn to (or affirmed) before me on this

30th day of October, 2020 by

Date Month Year

(1) Tracey E. Chikani
Name of Signer

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

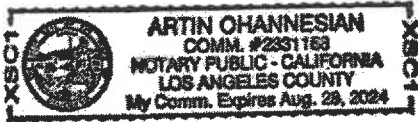
(and)

(2) N/A
Name of Signer

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

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above



Further description of Any Attached Document

Title or Type of Document: Lease Application

Document Date: _____ Number of Pages 1 page

Signer(s) Other Than Named Above: _____

May 1, 2021

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

UC-21-0515

RE: REVISED – Special Use Permits, Waiver of Development Standards and Design Reviews – Shopping Center (APN: 163-19-717-006 and 007)

On behalf of Middlepoint, LLC, we are requesting a special use permit for on-premise consumption of alcohol (supper club) with outside dining, waiver of development standards for alternative driveway throat depth and design reviews for a 40,000 square foot shopping center, alternative parking lot landscaping requirements, and increased finished grade. The subject site consists of two parcels for a total of 4.2 acres and located at the NW corner of Ft. Apache Road and Tompkins Avenue. By way of background, the project site and the existing shopping center to the north were zoned C-1 and C-2 with approval of ZC-97-0024 in March 1997. The shopping center in a C-2 zone directly to the north was constructed and now the same owners want to construct an almost identical, mirror image of the existing shopping center.

The proposed shopping center is permitted by right in a C-1 zoning district. Based on the attached site plan with corresponding setbacks, required parking, and buffering, the proposed use is entirely consistent with the intent of the C-1 zoning district, especially since it will have **cross access and shared parking with the existing shopping center directly to the north**. The project is in full compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional commercial developments which are integrated and serve residential areas. Additionally, we are in **full compliance with all conditions of approval on ZC-97-0024 and subsequent extensions of time**. The approved conditions, which we comply, range from minimum setbacks and design standards for trash enclosures, minimum buffering and screening along the west property line, and lighting.

Special Use Permits – Supper Club and Separation Reduction from a Residential Use

The first special use permit is for a supper club is proposed in conjunction with a restaurant where the primary function will be the restaurant. Therefore, the proposed supper club will not adversely impact any nearby uses inclusive of the residential use to the west. Supper clubs are commonly located in shopping centers throughout Clark County with no adverse impacts to contiguous properties. In fact, a supper club is no more intense than a restaurant which has no impacts on the residential use to the west.

The second use permit is to reduce the minimum separation from a residential use. Certain prescribed uses require performance measures to mitigate possible negative impacts of the use. The condition that is requested to be modified reads as follows: ***Must have a minimum separation of 200 feet from any residential use unless separated by a collector or arterial street or buffered from the residential use by a building, or as determined by the Commission or Board with the approval of a special use permit.*** The proposed supper club is approximately 155 feet from the nearest residential use to the west where 200 feet is the standard. **Therefore, the request is to reduce the required separation distance between a supper club and residential use to 155 feet where 200 feet is the standard.** While the proposed use does not meet the standard separation, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30.

In this particular instance, the supper club is almost completely buffered by the proposed in-line retail building from the residential use. While there is an opening directly north of the in-line retail building that does not completely buffer the proposed supper club, the opening is not adjacent to a home but rather a 60 foot wide drainage easement. Therefore, the supper club will not be visible from any residential use. Additionally, the area between the supper club building and the residential use consists of the following: 1) several drive aisles; 2) two separate rows of parking; 3) parking lot landscaping; 4) mature evergreen trees within the original buffer between the shopping center and residential uses; and 5) an existing 6 foot high decorative block wall within the landscape buffer. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed supper club that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

The proposed request is consistent and compatible with the approved and existing uses within the shopping center and surrounding area. Supper clubs are commonly located in shopping centers throughout Clark County with no adverse impacts to contiguous properties. In fact, a supper club is no more intense than the existing restaurant which has no impacts on the residential use to the east.

Special Use Permit – Outside Dining Area

The third use permit is to reduce the separation from the outside dining area to a residential use. Therefore, the request is to reduce the required separation distance between an outside dining area/patio and residential use to 155 feet where 200 feet is the standard. As with the supper club separation, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed outside dining area that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternative does not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The waiver of standards request is for alternative driveway geometrics for a reduced throat depth on three proposed driveways. The driveways exist and all off-sites were constructed on the subject site which include attached sidewalks. The proposed minimum throat depths are as follows: 1) 23 feet for one driveway along Tompkins Avenue; and 2) 13 feet for two driveways along Ft. Apache Road. The proposed throat depths are consistent with other driveway geometrics in the immediate area with no known adverse impacts and matches the throat depths of the existing shopping center to the north. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way. We have worked with Clark County Public Works to redesign a greater throat depth on the ingress side of the driveway and/or eliminate parking spaces to minimize any potential vehicular conflicts and will continue to work with staff to eliminate any potential vehicular conflicts.

Site Plan, Landscaping, and Elevations

The proposed in-line building will be located along the western portion of the site with two pad sites along Ft. Apache Road. The site provides for two access driveways from Ft. Apache Road and two from Tompkins Avenue and cross access and shared parking with the existing shopping center directly to the north.

The buildings will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The exterior elevations consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands and reveal lines. **The architectural detailing is provided on all sides consistent with the primary/front elevation.** The intent is to match the design elements of the shopping center to the north.

All bulk and density provisions are met including setbacks and setback from a single family residential use. The height of the in-line retail building complies with the residential adjacency standard including a 10 foot wide intense landscape buffer along the west property line.

Design Reviews

The applicant is requesting a design review for the following: **1) site and building design as referenced above; 2) alternative parking lot landscaping. and 3) increased finished grade.**

The first design review is for a proposed shopping center consisting of 3, single story, 24 to 35 foot high buildings that have architectural embellishments up to 35 feet. The site plan depicts full compliance with all applicable setbacks including the residential adjacency setback of 3:1. The proposed development is in full compliance with site design, architectural, perimeter buffering, landscaping, and screening provisions contained within the CMA Design Overlay District. The buildings step in and out to provide for varying building setbacks. The buildings also provide for vertical and horizontal surface plane variations to the elevations and rooflines where visible from a street or residential development. The overall site and building design provide for an innovative, high quality commercial development consistent with the overall purpose and intent of the CMA Design Overlay District.

The second design review is for alternative parking lot landscaping per Figure 30.64-14. The majority of the site fully complies with all provisions of Figure 30.64-14. Under Option 1 of Figure 30.64-14, the maximum number of parking spaces between islands are 6 spaces with no 8 foot wide planting strip. There are minor portions interior to the site where there are 7 spaces between landscape islands. That is due to the arrangement of the parking areas to mitigate for the reduced driveway throat depths and pedestrian connections and to match the existing shopping center to the north in order to provide for a seamless and cohesive development. There is also one row of parking, along Ft. Apache Road and behind the 15 feet of street landscaping, that provides for 20 parking spaces in a row where a maximum of 12 spaces is permitted. The alternative that is provided is that the site is substantially enhanced with additional landscaping. The request and totality of the entire site complies with Urban Specific Policy 73 which provides, in part, for perimeter and interior parking lot trees for shade and visual relief.

The third design review is for increased finished grade. The site is lower toward the eastern edge, closest to Fort Apache Road, which will require excess fill. Based on the site topography and to maintain proper drainage, we are requesting to increase the finished grade to 72 inches (6 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040. This information is based on preliminary data and

we will continue to work with staff to evaluate the site through the technical studies. The grades along the western portion of the site, closest to the residential use, are very close to existing. The increased finished grade will occur along Fort Apache Road and will not adversely impact the residential use.

The submitted site plan depicts an effective layout of the buildings, parking areas, circulation, cross access and shared parking, and sensitivity to the single family residential use to the west. The elevations for the proposed hotel consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands and reveal lines. The architectural detailing is provided on all sides consistent with the primary/front elevation.

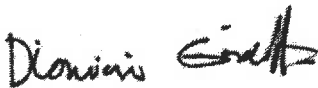
The proposed architectural elements and site design elements complies and furthers **Urban Specific Policy 67** which ensures through site planning and building design, that commercial developments are compatible with abutting uses through such design methods as appropriate buffers, setbacks, landscaping, building height, and materials. The proposed building complies with **Urban Specific Policy 78** which encourages architectural treatments on all facades to eliminate blank building elevations along public rights-of-way.

The proposed development fully complies and furthers goals and policies contained within the Clark County Master Plan. The project furthers **Land Use Goal 1** which encourages the implementation of a comprehensive land use plan to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services, and facilities. Additionally, the request complies and furthers **Land Use Goal 2** which encourages, in part, providing opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential and other activities within close proximity to each other. The proposed project also complies with **Land Use Goal 9** which encourages providing for commercial development integrated in appropriate locations throughout the community.

Therefore, the proposed use and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,



cc File: 2020120

B

11/03/21 BCC AGENDA SHEET

BUILDING MATERIALS/
LANDSCAPING
(TITLE 30)

HACIENDA AVE/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400147 (ZC-1208-00)-5335 SFA PROPCO, LLC:

WAIVER OF CONDITIONS of a zone change requiring the following: 1) landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages, 2) building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.) and 3) landscaping along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping in conjunction with a commercial building on 0.4 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/jt/jo (For possible action)

RELATED INFORMATION:

APN:

163-30-718-007

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5335 S. Fort Apache Road
- Site Acreage: 0.4
- Project Type: Cannabis retail store
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 3,120
- Parking Required/Provided: 159/184 (entire shopping center)

Overview

These conditions were imposed on the shopping center when it was approved in 2000. This application is a request to waive 3 conditions of approval to allow for a commercial building for a proposed cannabis establishment (cannabis retail store) to be constructed within the parking lot of the shopping center.

Site Plan

The site plan for the original shopping center included 2 in-line commercial buildings on the west side, 3 pad buildings on the east side along Fort Apache Road, and a gasoline canopy on the northeast portion of the site. Two of the 3 pad sites were not built on the east side of the site near Fort Apache Road, and the companion application proposes a commercial building on the northern pad site. Access to the shopping center includes a driveway from Hacienda Avenue to the north, 2 driveways from Fort Apache Road to the east, and a driveway from Mesa Vista Avenue to the south. Parking spaces are located on certain sides of each building and along portions of the perimeter.

Landscaping

Existing landscaping includes landscaping to a less intense use along the west property line as well as street landscaping along Hacienda Avenue on the north side, Fort Apache Road on the east side, and Mesa Vista Avenue on the south side. Landscaping is also located within the parking lot.

The proposed commercial building will reduce the street landscaping for a portion of Fort Apache Road to a minimum of 12 feet in width. Previous conditions of approval for the shopping center included the following: A) landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; and B) landscaping along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping. Both conditions would need to be waived to allow the reduced street landscaping proposed along Fort Apache Road with the companion application.

Elevations

Buildings within the existing shopping center were approved with painted stucco, stone veneer accents, pitched tile roof accents, and parapet walls along the roofline. A condition of approval required all building elevations in the shopping center to be consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc). Since the elevations for the proposed commercial building include dark gray vertical steel paneling with concrete base accents, this condition for consistent building elevations will need to be waived.

Floor Plans

The approved plans for the shopping center included 33,488 square feet consisting of 5 separate 1 story buildings. The proposed 3,120 square feet commercial building will replace a previously approved 2,170 square foot building.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1208-00:

Subject to landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc); monument signage only; screen any roof mounted mechanical equipment; full off-sites; drainage and traffic studies and compliance; project may qualify for an exception to the traffic analysis with Public Works approval; paved legal access; six foot wall on Mesa Vista Avenue with landscaping outside of the wall; no fluorescent lighting; landscaping

along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping; and all applicable standard conditions for this application type.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that although the building elevations for the proposed commercial building are different than existing buildings in the shopping center, the proposed building will create a fresh modern look. Prefinished metal and cement are more contemporary in appearance than the painted stucco buildings, which were developed approximately 20 years ago.

Regarding the request to waive the conditions of approval related to landscaping, the applicant indicates that additional landscaping will be provided on the south side of the new building to compensate for the reduction in street landscaping along Fort Apache Road.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900846	Smog check	Approved by ZA	December 2019
DR-0556-17	Restaurant/retail building with drive-thru - expired	Approved by BCC	August 2017
ADR-0916-08	Drive-thru coffee shop	Approved by ZA	July 2008
UC-0644-01	Reduced separation between a tavern and a residential use	Approved by PC	July 2001
TM-0056-01	1 lot commercial subdivision	Approved by PC	March 2001
ZC-1208-00	Reclassified 3.9 acres from C-1 to C-2 zoning for a shopping center, use permit for a convenience store with gasoline pumps, reduced setback between a convenience store & residential use, and condition of approval included subject to building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc)	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Commercial General	C-2	Shopping center including a tavern & gasoline sales
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
UC-21-0495	A use permit for a cannabis retail store with a waiver of development standards for a commercial building and design review is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff finds that the request to waive conditions of approval related to landscaping and building materials is appropriate to allow the commercial building with the companion application. The proposed development will provide additional parking lot landscaping, and the contemporary building materials will be aesthetically pleasing. Also, any future development will need to meet the development standards for landscaping and architectural compatibility in place at that time. As a result, these conditions are no longer applicable, and staff can support the request.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: NATUREX, LLC

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

B



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) ZC-1208-00 (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>WC-21-400147</u> DATE FILED: <u>9/2/21</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/3/21</u> FEE: <u>650.00</u>
	PROPERTY OWNER NAME: <u>5335 SFA Propco, LLC</u> ADDRESS: <u>P O Box 14863</u> CITY: <u>Albuquerque</u> STATE: <u>NM</u> ZIP: <u>87191</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>NatureX, LLC</u> ADDRESS: <u>415 N. Dearborn St. 4th Floor</u> CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60654</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-693-4215</u> E-MAIL: <u>aceleste@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 163-30-718-007

PROPERTY ADDRESS and/or CROSS STREETS: Waiver of Conditions regarding elevations being consistent with existing center

PROJECT DESCRIPTION: Cannabis Dispensary

(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.

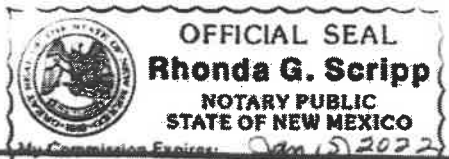
5335 SFA Propco LLC

 Property Owner (Signature)* Tony P. Mess
 Property Owner (Print)

STATE of New Mexico
 COUNTY OF Bernalillo

SUBSCRIBED AND SWORN BEFORE ME ON July 30, 2021 (DATE)

By Tony P. Mess
 NOTARY PUBLIC: Rhonda G. Scripp



*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.

August 11, 2021

VIA UPLOAD

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

Re: *Justification Letter – Design Review and Special Use Permit to Allow a Retail Marijuana Store with Drive-Thru at 5335 S. Fort Apache Road; Waiver of Conditions; Waiver of Developments to (1) Reduce Perimeter Landscape Width Along Fort Apache Road and (2) Reduce Parking Lot Landscaping; and Design Review to Increase Grade*

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The Applicant is proposing a retail marijuana store on an undeveloped pad in an existing shopping center located on the southwest corner of Fort Apache Road and Hacienda Avenue. Specifically, the Applicant is constructing a new 3,120 square foot retail marijuana store with a drive-thru at 5335 S. Fort Apache Road and also described as APN: 163-30-718-007 (the "Site") in the shopping center. As such, the Applicant is requesting a design review and special use permit to establish the use at the Site, waiver of conditions, and waiver of development standards related to the Site's existing landscaping.

Design Review:

The Site is within an existing shopping center. Some other existing uses in the shopping center include a Shell Gas Station, Green Valley Grocery, smog check, jiu-jitsu studio, and nail salon. The Site is accessed from four (4) driveways: Hacienda Avenue, Mesa Vista Avenue, and two (2) along Fort Apache Road. The proposed building is one (1) story with a maximum height of 21'. The Applicant is proposing to build a new 3,120 square foot building on the Site with drive thru. The drive-thru window will located on the south elevation of the building with the drive-thru lane moving counter-clockwise around the building entering the drive-thru lane from the west side of the building moving to the south side of the building and existing on the east side of the building. The proposed building elevations show enhanced articulation and upgraded finishes such as prefinished metal parapet, okoskin fiber cement panels, and aluminum store front windows. The Site complies with all parking and landscape requirements.

Special Use Permit:

A special use permit to allow the use on the Site is appropriate for the following reasons:

- The Site is zoned C-2.
- The Site is located within an existing retail center.
- The Site complies with all the separation requirements including the following:
 - The Site is more than 1,000 feet from a school.
 - The Site is more than 300 feet from a community facility¹.
 - The Site is not within the Las Vegas Gaming Corridor.
 - The Site is more the 1,500 feet from non-restricted gaming property.
- The Site is located on Fort Apache Road, an arterial street, and Hacienda Avenue, a collector street.
- Existing retail buildings are between the Site and the residential development to the west to provide an ideal buffer.

Since the Site is compatible with the surrounding area, a special use permit is appropriate to establish a retail marijuana store.

Waiver of Conditions:

The Site was originally approved via ZC-1208-00 and subject to the various conditions of approval. The Applicant is seeking to waive the following conditions:

- building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.)

While the proposed building elevations are different than the plan submitted, the design of the building is incorporating prefinished metal and cement in the design. Additionally, the shopping center was developed approximately 20 years and the design of the proposing building will give the shopping center a fresher and more modern look.

In addition to the above condition, the Applicant is also seeking to waive the following landscaping conditions:

- subject to landscaping consistent with plans with 20 foot maximum distance between trees along
- landscaping along Fort Apache Road to exceed Title 29 requirements of A-2 landscaping

The landscaping along Fort Apache Road exists. If the Applicant were to remove the existing landscaping, this portion of the Site's landscaping would not match the existing perimeter landscaping.

Waiver of Development Standards

Because of the existing landscaping conditions on the Site, the Applicant is requesting to reduce the landscape width along Fort Apache Road. The current landscaping width ranges between 22' feet and 10'. The Applicant is providing additional landscaping along the south perimeter of the building.

The Applicant is also requesting to reduce parking lot landscaping. There is limited parking lot landscaping in the existing shopping center. Additionally, the Applicant is adding landscaping to the Site, especially on the south side of the proposing building and along Fort Apache Road.

Design Review to Increase Grade

The Applicant is requesting to increase the grade to a total of 24" where 18" is allowed. The Applicant is requesting the slight increase in grade in order to match the grade to the rest of the existing shopping center. There is a low area (roughly 350 square foot) located near the northeast corner of the proposed building that must be filled in order to provide support to the proposed building foundation.

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

Sincerely,

KAEMPFER CROWELL



Anthony J. Coleste

AJC/

ⁱ The State of Nevada Cannabis Compliance Board confirmed that the existing jiu-jitsu studio is not considered a community facility. See March 25, 2021 letter from the Cannabis Compliance Board submitted with this application.

14

11/03/21 BCC AGENDA SHEET

CANNABIS RETAIL STORE
(TITLE 30)

HACIENDA AVE/FORT APACHE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0495-5335 SFA PROPCO, LLC:

USE PERMIT for a cannabis establishment (cannabis retail store).
WAIVER OF DEVELOPMENT STANDARDS to reduce landscaping.
DESIGN REVIEWS for the following: 1) commercial building; and 2) finished grade on 0.4 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/jt/jo (For possible action)

RELATED INFORMATION:

APN:
163-30-718-007

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce street landscaping width along Fort Apache Road to 12 feet where 15 feet is required behind an existing attached sidewalk per Section 30.64.030 (a 20% reduction).
- b. Reduce parking lot landscaping where parking lot landscaping is required per Figure 30.64-14.

DESIGN REVIEWS:

1. Commercial building.
2. Increase finished grade to 24 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5335 S. Fort Apache Road
- Site Acreage: 0.4
- Project Type: Cannabis retail store
- Number of Stories: 1
- Building Height (feet): 20

- Square Feet: 3,120
- Parking Required/Provided: 159/184 (entire shopping center)

Site Plans

The plans depict a new commercial building with drive-thru located in the parking lot of an existing shopping center. Approximate building separations and setbacks for the commercial building include 72 feet to the gasoline fueling canopy to the north, 25 feet to the east property line along Fort Apache Road, 84 feet to another pad site building to the south, and 60 feet to an in-line commercial building to the west. Access to the overall shopping center includes a driveway from Hacienda Avenue to the north, 2 driveways from Fort Apache Road to the east, and a driveway from Mesa Vista Avenue to the south. Parking spaces are located on certain sides of each building in the shopping center and along portions of the perimeter. Seven parking spaces will be removed, and 8 parking spaces will be added for the commercial building, which results in a net gain of 1 parking space. Overall, 184 parking spaces will be available where 159 parking spaces are required for the entire shopping center.

A drive-thru entrance will be located on the west side of the building, and a menu board is located on the west side of the building. The drive-thru lane continues along the south side of the building and provides access to the pick-up window. Then the drive-thru lane exits on the east side of the building, adjacent to Fort Apache Road. A trash enclosure, smog building, and parking spaces will remain on the south side of the pad site.

Landscaping

A row of 8 parking spaces is proposed on the north side of the commercial building where a maximum of 6 parking spaces are allowed between landscape fingers. Also, the landscape finger at the west end of the row of parking spaces is 4 feet wide where a minimum of 6 feet is required within the curbing of a landscape finger. These alternatives to parking lot landscaping require a waiver of development standards. Landscaping will also be provided along the parking spaces on the south side of the pad site.

Along Fort Apache Road, the existing landscaping behind the attached sidewalk will be reduced to 12 feet wide where 15 feet is required. This reduction in street landscaping is necessary to allow the drive-thru lane on the east side of the commercial building; however, the reduction in street landscaping requires a waiver of development standards. The companion application, WC-21-400147 (ZC-1208-00), also includes waivers of conditions relating to street landscaping along Fort Apache Road.

Elevations

The exterior of the building includes dark gray vertical steel paneling with a flat parapet wall along the roofline. A parapet wall above the front entrance extends up to almost 20 feet in height; however, most of the building is 17 feet 4 inches in height. A storefront window system is located on the front of the building. Although the proposed building is not architecturally compatible with the painted stucco buildings within the existing shopping center, which include stone veneer and pitched tile roof elements, a companion application (WC-21-400147) (ZC-1208-00) is on this agenda that includes a request to allow building materials different from the shopping center.

Floor Plans

The 3,120 square foot commercial building includes components for a cannabis retail store with drive-thru. The east side of the building includes a reception area, restroom, and janitor's closet. West of the reception area, the building includes a 990 square foot sales floor and point-of-sales counter. The remainder of the building includes an area to provide product to drive-thru customers, a vault, office space, breakroom, and receiving room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that a cannabis establishment (cannabis retail store) exceeds all the minimum separation requirements at this location. In addition, access to the shopping center and proposed cannabis establishment is provided by Fort Apache Road, an arterial street, and Hacienda Avenue, a collector street. Furthermore, existing buildings in the shopping center provide a buffer from the proposed cannabis establishment to the single family residential subdivision to the west.

Regarding the reductions to parking lot landscaping, the applicant indicates that the proposed design is consistent with the existing parking lot landscaping within the shopping center. Although the landscaping width will be reduced along Fort Apache Road for the proposed drive-thru lane, additional landscaping will be provided on the south side of the drive-thru lane and adjacent to a row of parking spaces.

Lastly, the increase in finished grade is necessary to match the grade of the existing shopping center. A low area (approximately 350 square feet) of the pad site will need to be raised for the proposed building.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900846	Smog check	Approved by ZA	December 2019
DR-0556-17	Restaurant/retail building with drive-thru - expired	Approved by BCC	August 2017
ADR-0916-08	Drive-thru coffee shop	Approved by ZA	July 2008
UC-0644-01	Reduced separation between a tavern and a residential use	Approved by PC	July 2001
TM-0056-01	1 lot commercial subdivision	Approved by PC	March 2001

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1208-00	Reclassified 3.9 acres from C-1 to C-2 zoning for a shopping center, use permit for a convenience store with gasoline pumps, reduced setback between a convenience store & residential use, and condition of approval included subject to building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc)	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Commercial General	C-2	Shopping center, including a tavern & gasoline sales
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
WC-21-400147 (ZC-1208-00)	A waiver of conditions of a zone change for building materials and landscaping is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Certified evidence of separation indicates that the proposed location exceeds the minimum separation requirements for a cannabis retail store. No community facilities are located within 300 feet of the location, and no schools or other cannabis establishments are located within 1,000 feet of the location. Although a Jiu Jitsu facility is located within the shopping center, a letter from the State of Nevada Cannabis Compliance Board indicates that the Jiu Jitsu facility does not meet the definition of a "community facility."

Regarding separations from other cannabis establishments, the nearest cannabis establishments are located 0.6 miles north, 1.6 miles south, and 2.4 miles southeast. This indicates that there is not a concentration of cannabis establishments in the area.

Lastly, the crime summary indicates that 114 incidents were reported within a 1 mile of the location during a 2 month period from April through June of 2021. The number of crime incidents could be considered typical for the area, and the cannabis retail store would not add to the crime in the area. As a result, staff can support the 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.

Although the drive-thru lane on the east side of the building would result in a 12 foot wide landscape buffer along Fort Apache Road, the length of this reduction is approximately 20 feet. The remainder of the existing street landscaping meets or exceeds the 15 foot width. Also, additional landscaping will be provided within an existing parking lot landscape area along the south side of the drive-thru lane. As a result, staff does not anticipate any negative visual or environment impacts from the reduced landscaping along Fort Apache Road.

Design Review #1

A commercial building with a similar location and layout was previously approved for this pad site with the original entitlements. As a result, a commercial building was anticipated for this location. The proposed commercial building meets the setback and minimum parking requirements. Additionally, the contemporary design of the building with vertical steel panels will create a unique appearance, albeit not architecturally compatible with the existing buildings in the shopping center. Lastly, the building design is consistent with Urban Specific Policy 67 in the Comprehensive Master Plan, which in part encourages appropriate setbacks, building height, and materials. Therefore, staff can support the request.

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.

Staff Recommendation

Approval

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Traffic study to address queuing to ensure that vehicles will not stack into the right-of-way;
- Coordinate with Public Works - Design Division for the Fort Apache Road improvement project;
- Dedicate any right-of-way and easements necessary for the Fort Apache Road improvement project.
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the Fort Apache Road improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Fort Apache 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and 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: NATUREX, LLC

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

14



CANNABIS ESTABLISHMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

USE PERMIT (UC)

ADMINISTRATIVE DESIGN REVIEW (ADR)

EXTENSION OF TIME (ET)

(ORIGINAL APPLICATION #)

APPLICATION FOR REVIEW (AR)

(ORIGINAL APPLICATION #)

CANNABIS ESTABLISHMENT

CULTIVATION FACILITY

DISPENSARY

DISTRIBUTOR

INDEPENDENT TESTING LABORATORY

PRODUCTION FACILITY

RETAIL CANNABIS STORE

STAFF

APP. NUMBER: UC-21-0495 DATE FILED: 9/2/21

PLANNER ASSIGNED: JCT

TAB/CAC: SPRING VALLEY TAB/CAC DATE: 10/12/21

PC MEETING DATE: _____

BCC MEETING DATE: 11/3/21

FEE: 6,325⁰⁰

PROPERTY OWNER

NAME: 5335 SFA Propco, LLC

ADDRESS: P O Box 14883

CITY: Albuquerque STATE: NM ZIP: 87191

TELEPHONE: n/a CELL: n/a

E-MAIL: n/a

APPLICANT

NAME: NatureX, LLC

ADDRESS: 416 N. Dearborn St. 4th Floor CITY: Chicago STATE: IL ZIP: 60654

TELEPHONE: n/a CELL: n/a

E-MAIL: n/a REF CONTACT ID #: n/a

CONSPONSOR

NAME: Kemper Crowell - Tony Celso

ADDRESS: 1980 Festival Plaza Dr. CITY: Las Vegas STATE: NV ZIP: 89135

TELEPHONE: 702-883-4215 CELL: 702-792-7000

E-MAIL: sjc@kctvhd.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 163-30-718-007

PROPERTY ADDRESS and/or CROSS STREETS: 5335 Fort Apache Road

PROJECT DESCRIPTION: relocation of a retail marijuana store

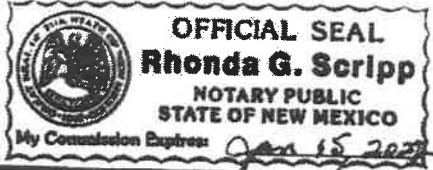
I, We) the undersigned owner and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

5335 SFA Propco LLC
Tony Celso Manager Tony A. Mees
 Property Owner (Signature) Property Owner (Print)

STATE OF New Mexico
 COUNTY OF Bernalillo

SUBSCRIBED AND SWORN BEFORE ME ON June 7, 2021 (DATE)

BY Tony A Mees
 NOTARY PUBLIC: Rhonda G. Scripp



ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 850
Las Vegas, NV 89133
Tel: 702.782.7900
Fax: 702.786.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.827.2011

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

August 11, 2021

VIA UPLOAD

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

Re: Justification Letter – Design Review and Special Use Permit to Allow a Retail Marijuana Store with Drive-Thru at 5335 S. Fort Apache Road; Waiver of Conditions; Waiver of Developments to (1) Reduce Perimeter Landscape Width Along Fort Apache Road and (2) Reduce Parking Lot Landscaping; and Design Review to Increase Grade

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The Applicant is proposing a retail marijuana store on an undeveloped pad in an existing shopping center located on the southwest corner of Fort Apache Road and Hacienda Avenue. Specifically, the Applicant is constructing a new 3,120 square foot retail marijuana store with a drive-thru at 5335 S. Fort Apache Road and also described as APN: 163-30-718-007 (the "Site") in the shopping center. As such, the Applicant is requesting a design review and special use permit to establish the use at the Site, waiver of conditions, and waiver of development standards related to the Site's existing landscaping.

Design Review:

The Site is within an existing shopping center. Some other existing uses in the shopping center include a Shell Gas Station, Green Valley Grocery, smog check, jiu-jitsu studio, and nail salon. The Site is accessed from four (4) driveways: Hacienda Avenue, Mesa Vista Avenue, and two (2) along Fort Apache Road. The proposed building is one (1) story with a maximum height of 21'. The Applicant is proposing to build a new 3,120 square foot building on the Site with drive thru. The drive-thru window will located on the south elevation of the building with the drive-thru lane moving counter-clockwise around the building entering the drive-thru lane from the west side of the building moving to the south side of the building and existing on the east side of the building. The proposed building elevations show enhanced articulation and upgraded finishes such as prefinished metal parapet, okoskin fiber cement panels, and aluminum store front windows. The Site complies with all parking and landscape requirements.

Special Use Permit:

A special use permit to allow the use on the Site is appropriate for the following reasons:

- The Site is zoned C-2.
- The Site is located within an existing retail center.
- The Site complies with all the separation requirements including the following:
 - The Site is more than 1,000 feet from a school.
 - The Site is more than 300 feet from a community facility¹.
 - The Site is not within the Las Vegas Gaming Corridor.
 - The Site is more the 1,500 feet from non-restricted gaming property.
- The Site is located on Fort Apache Road, an arterial street, and Hacienda Avenue, a collector street.
- Existing retail buildings are between the Site and the residential development to the west to provide an ideal buffer.

Since the Site is compatible with the surrounding area, a special use permit is appropriate to establish a retail marijuana store.

Waiver of Conditions:

The Site was originally approved via ZC-1208-00 and subject to the various conditions of approval. The Applicant is seeking to waive the following conditions:

- building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.)

While the proposed building elevations are different than the plan submitted, the design of the building is incorporating prefinished metal and cement in the design. Additionally, the shopping center was developed approximately 20 years and the design of the proposing building will give the shopping center a fresher and more modern look.

In addition to the above condition, the Applicant is also seeking to waive the following landscaping conditions:

- subject to landscaping consistent with plans with 20 foot maximum distance between trees along
- landscaping along Fort Apache Road to exceed Title 29 requirements of A-2 landscaping

The landscaping along Fort Apache Road exists. If the Applicant were to remove the existing landscaping, this portion of the Site's landscaping would not match the existing perimeter landscaping.

Waiver of Development Standards

Because of the existing landscaping conditions on the Site, the Applicant is requesting to reduce the landscape width along Fort Apache Road. The current landscaping width ranges between 22' feet and 10'. The Applicant is providing additional landscaping along the south perimeter of the building.

The Applicant is also requesting to reduce parking lot landscaping. There is limited parking lot landscaping in the existing shopping center. Additionally, the Applicant is adding landscaping to the Site, especially on the south side of the proposing building and along Fort Apache Road.


Design Review to Increase Grade

The Applicant is requesting to increase the grade to a total of 24" where 18" is allowed. The Applicant is requesting the slight increase in grade in order to match the grade to the rest of the existing shopping center. There is a low area (roughly 350 square foot) located near the northeast corner of the proposed building that must be filled in order to provide support to the proposed building foundation.

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

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC/

ⁱ The State of Nevada Cannabis Compliance Board confirmed that the existing jiu-jitsu studio is not considered a community facility. See March 25, 2021 letter from the Cannabis Compliance Board submitted with this application.

15

11/03/21 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

ELDORA AVE/PIONEER WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0494-ELDORA LAS VEGAS INVESTMENTS, LLC:

VACATE AND ABANDON a portion of right-of-way being Eldora Avenue located between Pioneer Way (alignment) and Monte Cristo Way within Spring Valley (description on file). JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

163-10-106-011

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a portion of the Eldora Avenue right-of-way which was previously dedicated as a public access entrance for a previously approved development. A newly configured access point will be depicted as an easement with the proposed single family residential development.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0211-16	Vacated and abandoned a portion of Eldora Avenue right-of-way - expired	Approved by BCC	May 2016
WS-0122-16	Waivers for reduced net lot area and increased block wall height with a design review for finished grade - expired	Approved by BCC	May 2016
TM-0025-16	10 single family residential lots on 5 acres - expired	Approved by BCC	May 2016
WS-1947-04	Waivers for reduced net lot area for a 10 lot residential development - expired	Approved by PC	December 2004
VS-1945-04	Vacated and abandoned easements - recorded	Approved by PC	December 2004

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0650-04	10 single family residential lots on 5 acres - expired	Approved by PC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Mini-warehouse facility
South, East, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Mixture of developed & undeveloped single family residential

Related Applications

Application Number	Request
WS-21-0491	A waiver of development standards for reduced net lot area, increased wall height, and modified off-site improvements for a single family residential development is a companion item on this agenda.
TM-21-500142	A tentative map for 10 single family residential lots on 5 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL.

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

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of

time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

15

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0494</u>	DATE FILED: <u>9-1-21</u>
		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>10.12.21</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>-</u>	R-E
		BCC MEETING DATE: <u>11-3-21</u>	RNP
		FEE: <u>\$ 875 00</u>	JJ

PROPERTY OWNER	NAME: <u>Eldora Las Vegas Investments LLC</u>
	ADDRESS: <u>10001 Park Run Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Lennar Attn: Dave Comoye</u>
	ADDRESS: <u>9275 West Russel Road, Suite 400</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-821-4683</u> CELL: _____
	E-MAIL: <u>dave.comoye@lennar.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: _____
	E-MAIL: <u>ElishaS@taneycrop.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-10-106-011

PROPERTY ADDRESS and/or CROSS STREETS: Eldora & Pioneer

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


 Property Owner (Signature)*
 STATE OF Florida
 COUNTY OF MIAMI DADE
 SUBSCRIBED AND SWORN BEFORE ME ON August 16, 2021
 By Onn Biri
 NOTARY PUBLIC: John Tsoulor


ONN BIRI
 Property Owner (Print)
Florida Driver's License
B600.640.90.304.0

*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.



TANEY ENGINEERING

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

August 25, 2021

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

Re: Eldora & Pioneer –Vacation of the portion of a public street at the Intersection of Eldora & Pioneer Estates Court
(APN: 163-10-106-011)

To Whom it May Concern,

On behalf of our client, Lennar, Taney Engineering is respectfully submitting a request for a Vacation of a portion of a public right-of-way adjacent to an approved residential subdivision.

Vacation of a portion of the public street that Intersects with Eldora:

The purpose of this request is to vacate a public right of way where private street intersects with Eldora, this area was dedicated as public right of way per book 135, page 10 of plats. The total area is 1,396 sq.ft.

A legal description, exhibit and supporting documents have been provided, as part of this package, for your review.

Please let us know if you have any questions or require any additional information.

Respectfully,

Shristy Maharjan
Taney Engineering

16

11/03/21 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

ELDORA AVE/PIONEER WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0491-ELDORA LAS VEGAS INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced net lot area; 2) increased wall height; 3) increase driveway width; and 4) reduce street intersection off-set.

DESIGN REVIEWS for the following: 1) a proposed 10 lot single family residential subdivision; and 2) finished grade on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Eldora Avenue and the east side of Pioneer Way (alignment) within Spring Valley. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

163-10-106-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the net lot area to 15,370 square feet where a minimum of 18,000 square feet is required per Table 30.40-1 (a 15% reduction).
2. Increase block wall heights to 12 feet (6 foot retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is allowed per Section 30.64.050 (a 33% increase).
3. Increase private driveway width to 38 feet where 28 feet is the maximum allowed per Uniform Standard Drawing 222 (a 36% increase).
4. Reduce street intersection off-set to 117 feet where a minimum of 125 feet is required per Chapter 30.52 (a 7% reduction).

DESIGN REVIEWS:

1. A proposed 10 lot single family residential development.
2. Increase finished grade up to 84 inches where a maximum of 18 inches is the standard per section 30.32.040 (a 366% increase).

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 10
- Density (du/ac): 2.0
- Minimum/Maximum Lot Size (square feet): 20,000/20,079 (gross); 15,370/18,494 (net)
- Project Type: Single family residential development
- Number of Stories: 1
- Building Height (feet): Up to 22
- Square Feet: 3,599/4,150

Site Plans

The plans depict a proposed single family residential development consisting of 10 lots on 5 acres for a density of 2 dwelling units per acre. All the lots will have access from a private cul-de-sac that connects to Eldora Avenue to the south. The private street is 37 feet wide and does not include sidewalks. Access to the subdivision will be controlled by an access gate. Cross sections submitted with this request indicate pad sites for some of the proposed residences will require the finished grade to be increased by a maximum of 7 feet (84 inches) above the finished grade of the adjacent properties. The maximum grade difference of 84 inches occurs along the east boundary. The reduction in street intersection off-set occurs on Eldora Avenue between the entry street of the subdivision and Pioneer Way.

Landscaping

Street landscaping consists of a 6 foot wide landscape area with an attached sidewalk along Laredo Street to the north and Eldora Avenue to the south. The landscape areas are depicted as easements and a part of the overall lot sizes. The applicant is also requesting increased block wall heights along portions of the east property line, up to a height of 12 feet.

Elevations

This development will offer 1 story homes with a maximum height of up to 22 feet. The elevations reveal stucco finished walls with decorative accents, window enhancements, and concrete tile roofs. There are a total of 5 models with 3 distinct elevation plans.

Floor Plans

The subject models range in size from 3,599 square feet to 4,150 square feet. Each model is anticipated to have different options and have 3 and 4 car garages.

Applicant's Justification

This property had a previously approved tentative map (TM-0025-16) and final map (NFM-0147-16), which have both expired. Civil plans for this site were approved and partially constructed (HTE#16-25417). They are submitting a new tentative map matching the prior tentative map, so the property can be officially subdivided matching the approved and partial constructed civil improvement plans. The final map was not recorded due to an ownership issue on the recorded reversionary map (RM-0179-08); therefore, the assessor's office never

recognized the reversionary map and the property still has assessor's parcel numbers reflected on the original final map (NFM-0499-05). Through a discussion with the mapping team, it was determined a certificate of amendment can be completed on the reversionary map to correct the ownership issue and the assessor's office will work the reversionary map to remove the property lines. It is the developer's intent to record a new final map on this property, matching the property lines on the approved civil plans. To allow for unimpeded vehicular ingress and egress for homes with 3 or more garages, a waiver of driveway widths is being requested to allow driveway widths to exceed the 28 foot maximum allowed per Code.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0122-16	Waivers for reduced net lot area and increased block wall height with a design review for finished grade - expired	Approved by BCC	May 2016
VS-0211-16	Vacated and abandoned a portion of Eldora Avenue right-of-way - expired	Approved by BCC	May 2016
TM-0025-16	10 single family residential lots on 5 acres - expired	Approved by BCC	May 2016
WS-1947-04	Waivers for reduced net lot area for a 10 lot residential development - expired	Approved by PC	December 2004
VS-1945-04	Vacated and abandoned easements - recorded	Approved by PC	December 2004
TM-0650-04	10 single family residential lots on 5 acres - expired	Approved by PC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Mini-warehouse facility
South, East, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Mixture of developed & undeveloped single family residential

Related Applications

Application Number	Request
TM-21-500142	A tentative map for 10 single family residential lots on 5 acres is a companion item on this agenda.
VS-21-0494	A vacation and abandonment of easement on the property is a companion item on the agenda.

Clark County Public Response Office (CCPRO)

There is an active CCPRO violation on the property for vehicle storage (CE21-16649).

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The applicant is requesting approval for similar waivers from previous approvals which also corresponds with the same lot layout as the project directly to the west. The applicant is submitting a new tentative map matching the prior tentative map, so that the property can be officially subdivided matching the approved and partial constructed civil improvement plans. Therefore, staff can support this portion of the request.

Waiver of Development Standards #2 & Design Review #1

The increased height of the retaining wall is necessary to provide positive drainage for the proposed development. Staff finds that the proposed single family residential development is consistent and compatible with approved and planned land uses in the area and complies with Land Use Element Goal 5 of the Comprehensive Master Plan which encourages, in part, providing opportunities for developing low density residential areas as a lifestyle choice. Therefore, staff can support this portion of the request.

Public Works - Development Review

Waiver of Development Standards #3

Staff can support the request for the additional driveway width since there will be no impact to any public streets.

Waiver of Development Standards #4

Staff has no objection to the request to reduce the street intersection off-set between Pioneer Way and Pioneer Estates Court since the private street was already constructed in its current location by a previously approved subdivision map. Additionally, the proposed 10 lot subdivision should see a low volume of traffic.

Design Review #2

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

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

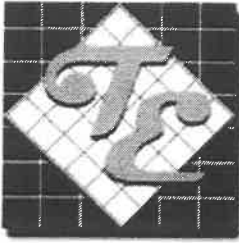
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: GREYSTONE NEVADA, LLC
CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118



TANEY ENGINEERING

6030 SOUTH JONES BLVD.
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

August 19, 2021

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

Re: Eldora & Pioneer– Justification Letter for Waiver of Standards and Design Review

To Whom It May Concern:

On behalf of our client, Lennar, Taney Engineering is respectfully submitting a Justification Letter for a Design Review for a single-family residential subdivision. The single-family residential subdivision consists of 10 lots on 5.05-acre site with a density of 1.98 lots/ Acre.

WAIVERS OF DEVELOPMENT STANDARDS for the following;

- 1) Reduced net lot area;
- 2) Increased wall height.
- 3) Driveway width;
- 4) Minimum street offset distance

DESIGN REVIEW for the following:

- 1) A proposed 10 lot single family residential subdivision; and
- 2) Increase the finish grade (Excess Fill).

Generally located north of Eldora Avenue and approximately 300-ft west of Monte Cristo Way.

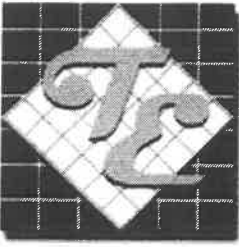
RELATED INFORMATION:

APN:

163-10-106-011

WAVIERS OF DEVELOPMENT STANDARDS:

1. Reduce the net lot area to 15,370 sf where code requires 18,000 sf net area (a 15% reduction)
2. Increase the wall heights up to 12-ft (6 foot retaining with 6-foot screen wall) where a maximum of 9-ft (3 foot retaining with 6-foot screen wall) is allowed (a 33% increase)
3. A driveway width is increased to 38-ft, where 28-ft is maximum allowed (an increase of 36%).
4. The minimum street intersection offset distance is 125 feet and the provided is 117 feet which is a reduction of less than 7% than required.



TANEY ENGINEERING

6030 SOUTH JONES BLVD.
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

DESIGN REVIEWS:

1. A proposed 10 lot single family residential development.
2. Increase the finished grade up to 84-inches where 18 inches is the standard (a 366% increase)

BACKGROUND:

Project Description:

The project consists of a 5.05 gross-acre, 10 lot residential subdivision with 1.98 lots per acre located north of Eldora Avenue and approximately 300-ft west of Monte Cristo Way. Currently the site is zoned R-E – Rural Estates Residential, with a planned land use RNP – Rural Neighborhood Preservation. We are requesting the site to remain zoned R-E.

The project site is bound by properties with planned land use and zoning as follows:

- South, East and West: R-E Rural Estates Residential (2 units/acre); RNP – Rural Neighborhood Preservation (developed, portion of east undeveloped)
- North: C-1 Local Business; CN – Commercial Neighborhood (developed)

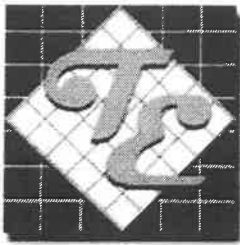
The plans depict a proposed single family residential development consisting of 10 lots. The lots will be served by a private 37-foot-wide cul-de-sac street with no sidewalks. The private street is shown as an easement and is a part of the gross lot sizes. Access to the development is from Eldora Avenue with the gated entry area of the private street with 60-ft width. There will be multi-car garages provided for each unit for a minimum of 20 parking spaces provided, in addition to full length driveways that can park at a minimum 2 vehicles each.

Street landscaping consists of a 5-ft wide landscape area along Laredo Street and a 6-ft wide landscape area along Eldora Avenue. The landscape areas are depicted as easements and a part of the overall lot sizes. The landscape planters will have large size trees per the SNRPC Planting Guide, large trees will be spaced at 40-ft o.c. per title 30 requirements.

The houses will range in size from approximately 3,599 square feet to 4,150 square feet and will consist of one-story homes (height of one-story homes will not exceed 21.3') with multi-car garages. There are 5 model plans and 3 elevation types, all of these plans and elevations will meet setbacks for R-E zoning.

Applicant's Justification

This property had a previously approved tentative map (TM 16-500025) and final map (NFM 0147-16), which have both expired. Civil plans for this site were approved and partially constructed (HTE#16-25417). We are submitting a new tentative map matching prior tentative map 16-500025, so the property can be officially subdivided matching the approved and partial constructed civil improvement plans. Final map (NFM 0147-16) was not recorded due to an ownership issue on the recorded reversionary map (RM-0179-08), therefore the assessor's



TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

office never recognized the reversionary map and the property still has assessor's parcel numbers reflected on the original final map (NFM-0499-05). Through a discussion with Clark County mapping team, Tina Garrison-Bermudez, it was determined a certificate of amendment can be completed on the reversionary map to correct the ownership issue and the assessor's office will work the reversionary map to remove the property lines (see attached email chain between mapping team and surveyor). It is the developer's intent to record a new final map on this property, matching the property lines on the approved civil plans. We have included copies of all maps mentioned above for planner reference.

Waiver of Standards #1 – Lot Size

On behalf of our client, we would like to request waiver of standards for net area on lots 1-4 and 7-10. The proposed minimum net area is 15,370 sf where code requires 18,000 sf net area (a 15% reduction). All lots meet the 20,000-sf gross lot size requirements.

Waiver of Standards #2 – Wall Height

On behalf of our client, we would like to request waiver of standards for retaining walls up to the heights of 6-ft, in combination of 6-ft cmu wall on top of the 6-ft retaining wall, resulting in up to 12-ft high combination wall height where code allows 9-ft (a 33% increase). These walls would be located along the northern and eastern boundaries. The site has approximately 11-ft of elevation change from south to north.

Waiver of Standards #3 – Driveway Widths

On behalf of our client, we would like to request waiver of driveway widths on lots 1-4 and 7-10. In order to allow for unimpeded vehicular ingress and egress for homes with 3+ car garages, a waiver of driveway widths is being requested to allow driveway widths to exceed the 28-ft max wide allowed per Clark County Uniform Standard Drawing 222. In order to accommodate all combinations of the garages offered, it is necessary to request the width be increased to 38-ft, where 28-ft is maximum allowed (an increase of 36%). A Lot fit exhibit is provided with this submittal.

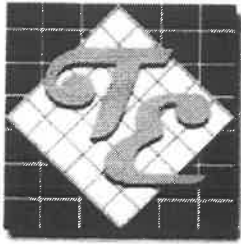
Waiver of Standards #4– Minimum Street intersection offset distance

On behalf of our client, we would like to request waiver of standards for minimum street intersection offset distance in the Eldora Street. The curbs and the intersection have already been constructed in the Eldora Street and there is low traffic volume generated from 10 lots which are less than half acres each. The minimum required distance for the street intersection offset is 125 feet per 30.52.052 of Clark County Development Code and the offset distance provided is 117 feet which is a reduction of less than 7% of code required distance.

Design Review #1 – Proposed 10 lots Single Family Subdivision

The houses will range in size from approximately 3,599 square feet to 4,150 square feet and will consist of one-story homes (height of one-story homes will not exceed 21.3') with multi-car garages (2- with RV garage option). There are 5 model plans and 3 elevation types, all of these plans and elevations will meet setbacks for R-E zoning.

Design Review #2 – Excess Fill



TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

On behalf of our client, we would like to apply for a design review for the excess fill on all 10 lots. We believe that the difference in elevation between the proposed and existing grade is 7-ft (84") max. of fill above the existing elevations on the site where code allows 18" (a 367% increase). The impact to the adjacent properties should be minimal. The adjacent properties are similarly developed so there should be little to no impact to the existing homes.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information, please call 702-362-8844.

Respectfully,

TANEY ENGINEERING

17

11/03/21 BCC AGENDA SHEET

ELDORA & PIONEER
(TITLE 30)

ELDORA AVE/PIONEER WY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500142-ELDORA LAS VEGAS INVESTMENTS, LLC:

TENTATIVE MAP consisting of 10 single family residential lots and common lots on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Eldora Avenue and the east side of Pioneer Way (alignment) within Spring Valley. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:
163-10-106-011

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 10
- Density (du/ac): 2.0
- Minimum/Maximum Lot Size (square feet): 20,000/20,079 (gross); 15,370/18,494 (net)
- Project Type: Single family residential development

The plans depict a proposed single family residential development consisting of 10 lots on 5 acres for a density of 2 dwelling units per acre. All the lots will have access from a private cul-de-sac that connects to Eldora Avenue to the south. The private street is 37 feet wide and does not include sidewalks. Access to the subdivision will be controlled by an access gate.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0122-16	Waivers for reduced net lot area and increased block wall height with a design review for finished grade - expired	Approved by BCC	May 2016
VS-0211-16	Vacated and abandoned a portion of Eldora Avenue right-of-way - expired	Approved by BCC	May 2016

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0025-16	10 single family residential lots on 5 acres - expired	Approved by BCC	May 2016
WS-1947-04	Waivers for reduced net lot area for a 10 lot residential development - expired	Approved by PC	December 2004
VS-1945-04	Vacated and abandoned easements - recorded	Approved by PC	December 2004
TM-0650-04	10 single family residential lots on 5 acres - expired	Approved by PC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Mini-warehouse facility
South, East, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Mixture of developed & undeveloped single family residential

Related Applications

Application Number	Request
WS-21-0491	A waiver of development standards for reduced net lot area, increased block wall height, increased driveway width, street off-set distance with a design review for finish grade is a companion item on this agenda.
VS-21-0494	A vacation and abandonment of easement on the property is a companion item on the agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Building Department - Fire Prevention

- 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 #0205-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118

179



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500142</u> DATE FILED: <u>9-1-21</u>
		PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>10.12.21</u> PC MEETING DATE: <u>-</u> R.E BCC MEETING DATE: <u>11.3.21</u> RJA <u>TM-50025-16</u> FEE: <u>\$750.00</u> JJ

PROPERTY OWNER

NAME: Eldora Las Vegas Investments LLC
 ADDRESS: 10001 Park Run Drive
 CITY: Las Vegas STATE: NV ZIP: 89145
 TELEPHONE: _____ CELL: _____
 E-MAIL: _____

APPLICANT

NAME: Greystone Nevada Attn: Dave Comoyer
 ADDRESS: 9275 West Russel Road, Suite 400
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: 702-821-4683 CELL: _____
 E-MAIL: dave.comoyer@lennar.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Taney Engineering Attn: Elisha Scrogum
 ADDRESS: 6030 S. Jones Blvd.
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-362-8844 CELL: _____
 E-MAIL: ElishaS@taneycorp.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-10-106-011

PROPERTY ADDRESS and/or CROSS STREETS: Eldora Ave. & S. Pioneer Way

TENTATIVE MAP NAME: Eldora & Pioneer

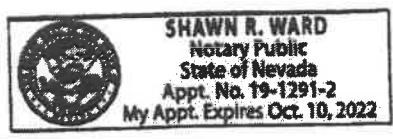
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

 _____ DAN BIRR _____
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 3/22/21 (DATE)
 By Dan Birr

NOTARY PUBLIC: Shawn Ward 



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

11/03/21 BCC AGENDA SHEET

DISTRIBUTION CENTER
(TITLE 30)

CIMARRON RD/BADURA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0490-GK ACQUISITIONS, LLC & BESUDEN, HENRY & CHARLOTTE REV TR:

ZONE CHANGE to reclassify 26.8 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow a modified driveway design.

DESIGN REVIEWS for the following: 1) distribution center; 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the west side of Cimarron Road and the south side of Badura Avenue within Spring Valley (description on file). MN/rk/jc (For possible action)

RELATED INFORMATION:

APN:

176-04-301-011; 176-04-301-013

WAIVER OF DEVELOPMENT STANDARDS:

Reduce throat depth for the driveways along Badura Avenue, Cimarron Road, Arby Avenue, and Gagnier Boulevard to a minimum of 6.5 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 94% reduction).

DESIGN REVIEWS:

1. A distribution center.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase the finished grade to 87 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 383% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 26.8
- Project Type: Distribution center

- Number of Stories: 1
- Building Height (feet): 39
- Square Feet: 526,510 (total of 6 buildings)
- Parking Required/Provided: 486/602

Site Plan

The plan depicts a distribution center consisting of 6 buildings that are orientated in both north/south, and east/west directions. The perimeter of the site is bounded by public right-of-way on the north, south, and east sides of the project site. Gagnier Boulevard is shown as a through street and divides the site into east and west portions. The plans depict 4 proposed driveways on Badura Avenue and Arby Avenue, 1 proposed driveway on Cimarron Avenue, and 2 proposed driveways on Gagnier Boulevard, all of which require a waiver of development standards to reduce throat depth. The loading docks for the distribution center are internal to the development and are not facing public street frontage or visible from the residential development. Parking for the facility is generally located around the perimeter of the site.

Landscaping

The street landscaping consists of a 10 foot to 20 foot wide area with proposed attached and detached sidewalks. A 6 foot wide landscape buffer per Figure 30.64-1 is proposed along the west property line. Most of the parking lot and interior landscaping is equitably distributed throughout the site. Along a few portions of the project the applicant is proposing to install half landscape diamonds every other finger in lieu of landscape fingers every 6 spaces.

Elevations

The buildings will be 39 feet high and constructed of concrete tilt-up panels with glass store fronts, and vertical/horizontal reveal lines, and color changes. The height of the building varies slightly from 35 feet to 39 feet and has been designed to break-up the roofline and enhance the overall look of the building. The loading dock area will be located interior to the site and screened from public view by walls and perimeter street landscaping.

Floor Plans

The plans depict a 526,510 square foot distribution/warehouse shell with 6 potential building lease spaces.

Signage

Signage is not a part of this request.

Applicant's Justification

This is a request for a conforming zone change that is mostly surrounded by planned light industrial uses. The applicant indicates this site has been designed to be compatible with the surrounding area as well as most of the objectives of Title 30 and the Comprehensive Master Plan. Furthermore, the waiver of development standards to reduce throat depth has been broken-up into separate driveways site wide. The applicant indicates that portions of some of the driveways (either the ingress or egress sides) will minimally have 25 foot throat depths. In addition, the applicant also indicates that the industrial uses will not generate a high volume of traffic; therefore, will have adequate space on the site for vehicles to stack.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D, R-E, & U-V	Undeveloped
South	Public Facilities & Business and Design/Research Park	C-P, C-2, & U-V	St. Rose Dominican Hospital, assisted living facility, & undeveloped
East	Business and Design/Research Park	R-E	Private school
West	Business and Design/Research Park	C-2	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The request is a conforming zone boundary amendment to the Winchester/Paradise Land Use Plan. The project complies with Urban Land Use Policy 99 of the Comprehensive Master Plan which promotes ensuring that Business and Design/Research Park developments are complementary with abutting uses through site planning and building design. Furthermore, most of the area is planned for light industrial uses and a number of properties in the area are zoned M-D and developed with similar uses which makes this site harmonious with the existing development in the area. Therefore, staff can support the zone change 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.

Design Reviews #1 & #2

Urban Specific Policy 97 encourages Business and Design/Research Park uses to orient less intensive uses and landscaping adjacent to public right-of-way on the perimeter of the development. This improves the visual quality and buffering and maintains view corridors to the storefronts. The proposed development is consistent with this policy since the storefronts are oriented to the north and south towards the adjacent public rights-of-way, and the loading docks are oriented inwards between the buildings. In addition, the design and layout include adequate landscaping, buffering, and parking to accommodate the use. Furthermore, within portions of the parking lot the site is not meeting Code by having a landscape finger every 6 spaces and some areas will provide parking lot landscape diamonds instead of the fingers. To mitigate the elimination of a couple of landscape fingers, the applicant is proposing to install half landscape

diamonds every other finger in lieu of landscape fingers every 6 spaces; therefore, staff supports the design reviews.

Public Works - Development Review

Waiver of Development Standards

Staff worked with the applicant to reduce the potential conflicts at the driveways by removing parking spaces and providing extra landscape planters. This will provide drivers more distance before they encounter any conflicting parking spaces.

Design Review #3

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

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

- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Gagnier Boulevard and associated spandrels.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require 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.

Building Department - Fire Prevention

- Ensure all points of structure are within 250 feet of fire department access for sprinklered buildings.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0228-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: PHELAN DEVELOPMENT
CONTACT: KAEMPIER CROWELL, BOB CRONAUER, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135**

