



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

December 12, 2023

6:00pm

## AGENDA

### Note:

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

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

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

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

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

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

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

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

- III. Approval of Minutes for November 14, 2023 and November 28, 2023. (For possible action)
- IV. Approval of the Agenda for December 12, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
1. **NZC-23-0764-LV WS MEYER, LLC:**  
**ZONE CHANGE** to reclassify 14.3 acres from a C-1 (Local Business) Zone to an R-4 (Multiple Family Residential - High Density) Zone.  
**USE PERMIT** for a High Impact Project.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) dedication of right-of-way.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) multiple family development; and 3) finished grade in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road, 270 feet west of Buffalo Drive within Spring Valley (description on file). MN/md/syp (For possible action) **01/02/24 PC**
  2. **VS-23-0765-LV WS MEYER, LLC:**  
**VACATE AND ABANDON** a portion of right-of-way being Warm Springs Road located between Buffalo Drive and Cimmaron Road within Spring Valley (description on file). MN/md/syp (For possible action) **01/02/24 PC**
  3. **PA-23-700038-DURANGO ROBINDALE, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) on 0.8 acres. Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley. MN/rk (For possible action) **01/02/24 PC**
  4. **ZC-23-0744-DURANGO ROBINDALE, LLC:**  
**ZONE CHANGE** to reclassify a 0.8 acre portion of a 2.2 acre site from a C-1 (Local Business) Zone to a C-2 (General Commercial) Zone.  
**USE PERMITS** for the following: 1) outside dining, drinking, and cooking; and 2) eliminate pedestrian access.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow modified driveway design standards; 2) alternative landscaping; and 3) non-standard improvements in the right-of-way.  
**DESIGN REVIEWS** for the following: 1) tavern; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley (description on file). MN/rr/syp (For possible action) **01/02/24 PC**

5. **UC-23-0760-SAHARA MEDICAL INSTITUTE, LLC:**  
**USE PERMIT** to allow an on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant in an office and retail development on a portion of 0.8 acres in a C-1 (Local Business) Zone. Generally located on the east side of Duneville Street, 150 feet south of Sahara Avenue within Spring Valley. JJ/rp/syp (For possible action) **01/02/24 PC**
6. **VS-23-0704-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Duneville Street and Lindell Road, and between Edna Avenue and Coley Avenue within Spring Valley (description on file). JJ/jud/syp (For possible action) **01/02/24 PC**
7. **WS-23-0703-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate sidewalk and street landscaping; and **2)** drainage study on 2.1 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the northeast corner of Duneville Street and Coley Avenue within Spring Valley. JJ/jud/syp (For possible action) **01/02/24 PC**
8. **DR-23-0772-HD POST BUFFALO, LLC:**  
**DESIGN REVIEW** for finished grade in conjunction with an approved warehouse, retail, and office complex on 1.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action) **01/03/24 BCC**
9. **TM-23-500165-HD POST BUFFALO, LLC:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 1.9 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action) **01/03/24 BCC**
10. **ET-23-400163 (UC-21-0495)-5335 LAS VEGAS, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** 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/dd/syp (For possible action) **01/03/24 BCC**
11. **UC-23-0759-ROMANCAL, LLC:**  
**USE PERMIT** for a proposed vehicle repair facility within an existing commercial building.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation from a vehicle repair facility to a residential use on a portion of 1.6 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue, 200 feet east of Sorrel Street within Spring Valley. JJ/bb/syp (For possible action) **01/03/24 BCC**

VII. General Business

1. Approve 2024 Spring Valley Town Advisory Board meeting calendar (For possible action)

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

IX. Next Meeting Date: January 9, 2024.

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

November 14, 2023

## MINUTES

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

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

**Judith M. Rodriguez, Current Planning**

### II. Public Comment

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

- **None**

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

Motion by: **John Getter**

Action: **APPROVE** as published

Vote: 4-0/Unanimous

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

Motion by: **John Getter**

Action: **APPROVE** as published

Vote: 4-0/Unanimous

### V. Informational Items

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

- 5 Mile Walk Like MADD Saturday, December 9, 2023 at Sunset Park sponsored by Mothers Against Drunk Driving. Event will start at 8:00am and register at [www.walklikemadd.org/event/LasVegas](http://www.walklikemadd.org/event/LasVegas)

VI. Planning & Zoning

1. **UC-23-0673-TAN EDISON C III:**

**USE PERMIT** to allow an aviary.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the number of birds allowed; and 2) reduce setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Anchorage Street and the west side of Norfolk Court within Spring Valley. MN/mh/syp (For possible action) 12/05/23 PC

Motion by: **John Getter**

Action: **DENY**

Vote: 4-0/Unanimous

2. **UC-23-0692-JONES S 300 LP:**

**USE PERMIT** for a recreational facility in conjunction with an existing shopping center on a portion of 1.4 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue, 145 feet east of Bronco Street within Spring Valley. JJ/rp/syp (For possible action) 12/05/23 PC

Motion by: **Randy Okamura**

Action: **APPROVE** with staff conditions

Vote: 4-0/Unanimous

3. **WS-23-0705-FLAMINGO CAPITAL MANAGEMENT, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for driveway geometrics.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) modifications to an existing shopping center; and 3) a restaurant with a drive-thru in conjunction with an existing shopping center on a 1.0 acre portion of 12.1 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Flamingo Road and the west side of Buffalo Drive within Spring Valley. JJ/hw/syp (For possible action) 12/05/23 PC

Motion by: **Randy Okamura**

Action: **APPROVE** with staff conditions

Vote: 4-0/Unanimous

4. **ET-23-400157 (UC-0787-17)-LAUB JOEL A AND LAUB KIMBERLY L FAMILY TRUST:**

**USE PERMITS THIRD EXTENSION OF TIME** for the following: 1) increase manager's unit area; and 2) waive mixed-use development design standards.

**DESIGN REVIEWS** for the following: 1) modify an approved office/warehouse complex with manager's units; and 2) modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/tpd/syp (For possible action) 12/06/23 BCC

Motion by: **Dr Juana Leia Jordan**

Action: **APPROVE** with staff conditions

Vote: 4-0/Unanimous

5. **UC-23-0664-KENOWOYO INVESTMENT I, LLC:**  
**USE PERMIT** to re-establish a school.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) sidewalk and landscaping; 2) reduce setback; 3) allow non-decorative screening along the right-of-way; 4) allow unscreened mechanical equipment; 5) trash enclosure; 6) off-site improvements; 7) reduce throat depth; and 8) driveway geometrics.  
**DESIGN REVIEW** to re-establish the school site redesign for an existing school on a 2.0 acre portion of a 4.2 acre site in an R-E (Rural Estates Residential) Zone. Generally located on the northwest corner of Oakey Boulevard and Red Rock Street within the Spring Valley Land Use Planning Area. RM/jor/syp (For possible action) 12/06/23 BCC

Motion by: **John Getter**

Action: **APPROVE** as presented with staff “if approved” conditions

Vote: 4-0/Unanimous

6. **WS-23-0718-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for signage.  
**DESIGN REVIEW** for modifications to comprehensive sign package in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed Use) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/rr/syp (For possible action) 12/06/23 BCC

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: 3-1/NAY - Jordan

7. **ZC-23-0614-DIAMOND MOHAWK CCA, LLC:**  
**ZONE CHANGE** to reclassify 4.1 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for throat depth.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) finished grade; 3) modifications to a previously approved office/warehouse facility; and 4) a proposed office/warehouse facility on 6.7 acres in the CMA Design Overlay District. Generally located on the east side of Mohawk Street, 300 feet north of Post Road within Spring Valley (description on file). MN/hw/syp (For possible action) 12/06/23 BCC

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: 3-1/NAY - Devitt

8. **VS-23-0615-DIAMOND MOHAWK CCA, LLC:**  
**VACATE AND ABANDON** a portion of right-of-way being Mohawk Street located between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action) 12/06/23 BCC

Motion by: **John Getter**

Action: **APPROVE** with staff conditions

Vote: 3-1/NAY - Devitt

## 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.

- **Concern was expressed regarding traffic and noise with an existing shopping center near Sahara and Bronco.**
- \* **Concern was expressed regarding condition of pavement at Jones and Rochelle**

IX. Next Meeting Date **November 28, 2023**

X Adjournment

Motion by: John Getter  
Action: **ADJOURN** meeting at 8:09 p.m.  
Vote: 4-0/Unanimous





# Spring Valley Town Advisory Board

November 28, 2023

## MINUTES

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

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

**Judith M. Rodriguez, Current Planning**

### II. Public Comment

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

- **None**

### III. Approval of **November 14, 2023** Minutes (For possible action)

Motion by: **John Getter**

Action: **APPROVE** as published

Vote: 4-0/Unanimous

### IV. Approval of Agenda for **November 28, 2023** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **John Getter**

Action: **APPROVE** as published

Vote: 4-0/Unanimous

### V. Informational Items

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

**Vegas Valley Rim Trail, Virtual Info Session & Survey.**

**When completed, this 100-mile loop trail will encircle our community, linking parts of Clark County with the cities of Henderson, Las Vegas and North Las Vegas. Join a virtual information session December 7 @11 am. Links to virtual meeting and survey provided on flyer.**

VI. Planning & Zoning

1. **ET-23-400152 (UC-18-0955)-SPIRITUAL ASSEMBLY OF THE BAHA'IS OF SPRING VALLEY:**  
**USE PERMIT SECOND EXTENSION OF TIME** for a proposed place of worship.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow modified street standards; and 2) allow modified driveway design standards.  
**DESIGN REVIEW** for a proposed place of worship on 1.9 acres in an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Patrick Lane and Jones Boulevard within Spring Valley. MN/rp/syp (For possible action) 12/19/23 PC  
  
Motion by: **Dr. Juana Jordan**  
Action: **APPROVE** per staff conditions  
Vote: 4-0/Unanimous
2. **UC-23-0722-8480 DESERT INN, LLC:**  
**USE PERMIT** to reduce the separation from a tavern to a residential use in conjunction with an existing shopping center on a portion of 10.9 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Desert Inn Road, approximately 1100 feet east of Durango Drive within Spring Valley. RM/nai/syp (For possible action) 12/19/23 PC  
  
Motion by: **John Getter**  
Action: **HOLD** with no certain date  
Vote: 4-0/Unanimous
3. **UC-23-0736-CHOUL, LLC:**  
**USE PERMITS** for the following: 1) on-premises consumption of alcohol (supper club); and 2) reduce the separation from a proposed supper club to a residential use.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking in conjunction with a proposed supper club within an existing commercial center on a portion of 2.4 acres in a C-1 (Local Business) and C-2 (General Commercial) Zone. Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/tpd/syp (For possible action) 12/19/23 PC  
  
Motion by: **Brian Morris**  
Action: **APPROVE** subject to staff conditions  
Vote: 4-0/Unanimous

4. **UC-23-0742-FT APACHE SUNSET 18, LLC:**  
**USE PERMIT** for a minor training facility in conjunction with a dental office within an existing office complex on 4.5 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Fort Apache Road and the south side of Martin Avenue within Spring Valley. JJ/dd/syp (For possible action) 12/19/23 PC

Motion by: **Brian Morris**  
Action: **APPROVE** subject to staff conditions  
Vote: 4-0/Unanimous

5. **WS-23-0723-BRISTOW JAMES:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce a rear setback in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located 450 feet south of Mesa Vista Avenue and 150 feet east of Mann Street within Spring Valley. MN/bb/syp (For possible action) 12/19/23 PC

Motion by: **Brian Morris**  
Action: **APPROVE** as presented  
**ADD** Condition: Written approval from HOA  
Vote: 4-0/Unanimous

VII General Business

1. **None**

VIII. Comments by the General Public-

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- **None**

IX. Next Meeting Date: **December 12, 2023.**

X Adjournment

Motion by: John Getter  
Action: **ADJOURN** meeting at 6:30p.m.  
Vote: 4-0/Unanimous



**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**NZC-23-0764-LV WS MEYER, LLC:**

**ZONE CHANGE** to reclassify 14.3 acres from a C-1 (Local Business) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

**USE PERMIT** for a High Impact Project.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) dedication of right-of-way.

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

Generally located on the south side of Warm Springs Road, 270 feet west of Buffalo Drive within Spring Valley (description on file). MN/md/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-09-501-010

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 45 feet where a maximum height of 35 feet is permitted per Table 30.40-3 (a 28.6% increase).
2.
  - a. Waive dedication of right-of-way for Mardon Avenue where dedication of right-of-way is required for arterial, collector, and local streets per Section 30.52.030.
  - b. Waive dedication of right-of-way for Miller Lane where dedication of right-of-way is required for arterial, collector, and local streets per Section 30.52.030.
  - c. Waive dedication of right-of-way for Warbonnet Way where dedication of right-of-way is required for arterial, collector, and local streets per Section 30.52.030.

**DESIGN REVIEWS:**

1. Alternative parking lot landscaping including diamond shaped landscape planters.
2. Multiple family development.
3. Increase finished grade to 120 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 234% increase).

**LAND USE PLAN:**

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A

- Site Acreage: 14.3
- Project Type: Multiple family development
- Number of Units: 344
- Density (du/ac): 24.2
- Number of Stories: 2 & 3
- Building Height (feet): 36 (clubhouse building)/26 (2 story multiple family)/45 (3 story multiple family)/12.5 (pool building)
- Square Feet: 12,291 (clubhouse building)/642 (pool building)
- Open Space Required/Provided: 34,400/64,583
- Parking Required/Provided: 625/658

### **Neighborhood Meeting Summary**

This is a request for a nonconforming zone change to reclassify 14.3 acres from a C-1 zoning district to an R-4 zoning district to allow a multiple family residential development. The applicant conducted a neighborhood meeting on September 12, 2022, 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. There were no neighbors present for the meeting.

### **High Impact Project Request**

The Board of County Commissioners approved an R-4 zoned multiple family development located on APNs 176-09-501-001 and 176-09-501-009 in May 2023 via NZC-23-0076, approximately 333 feet to the west of the proposed multiple family development associated with this request. The previously approved multiple family development (NZC-23-0076), consisted of an approximately 13.7 acre site featuring 340 dwelling units with a density of 25 dwelling units per acre. A waiver of development standards to increase building height up to 45 feet was also approved with this request. The previously approved and proposed multiple family developments are under the same ownership, and the cumulative number of dwelling units between the 2 projects exceed 500 dwelling units, rendering this request a High Impact Project per the Development Code.

### **Site Plans**

The plans depict a multiple family development located on a 14.3 acre site consisting of 344 multiple family with a density of 24.2 dwelling units per acre. The proposal consists of 14, three story multiple family buildings, 1, two story multiple family building, and a 2 story clubhouse building. Buildings 1, 2, 11, and 15 front along the north portion of the site with setbacks measuring between 29 feet to 29.5 feet from Warm Springs Road. Building 2, located at the northwest corner of the site, features an interior side setback of 20 feet from the west property line. Building 3, located along the west portion of the site, is also set back 20 feet from the property line. Buildings 5 through 8 are located along the south portion of the site with setbacks ranging between 75 feet to 77 feet from the rear (south) property line. Buildings 9 through 11 are located along the east portion of the site with a minimum setback of 82 feet from the interior (east) property line. The remaining buildings, 4 and 12 through 14, and the clubhouse building are centrally located within the interior of the project site. The proposed development requires 625 parking spaces where 658 parking spaces are provided. The sole means of access to the site is granted via a single driveway with a security access gate (minimum 100 foot throat depth)

centrally located along the north property line adjacent to Warm Springs Road. A secondary "emergency access" gate is located at the northeast corner of the development adjacent to Warm Springs Road. The largest increase to finished grade will occur at the southeast corner of the site in proximity to Building 9.

### Landscaping

The plans depict a 15 foot wide landscape area with a 5 foot wide detached sidewalk adjacent to Warm Springs Road. The street landscape area consists of trees, shrubs, and groundcover. A 6 foot high decorative CMU split face block wall combined with a wrought iron fence is located behind the required street landscape area along Warm Springs Road, and a 6 foot high decorative CMU split-face block wall is located along the remaining perimeter of the site. Landscape areas measuring 10 feet in width are provided along the east and west property lines, while a landscape area measuring 5 feet in width is featured along the south property line. Large Evergreen trees, including shrubs, will be planted within the landscape areas located along the east, west, and south property lines adjacent to the undeveloped and developed parcels. In lieu of providing the required amount of landscape fingers within the interior of the parking lot, the required trees have been distributed throughout the interior of the site, in the form of diamond shaped landscape planters. The development requires 149 trees within the interior of the parking lot where 215 trees have been equitably distributed throughout the site. The multiple family development requires 34,400 square feet of open space where 64,583 square feet of open space has been provided. The open space consists of a centrally located clubhouse building, swimming pools, recreational sports courts, and playground areas.

### Elevations

The plans depict 3 story multiple family buildings ranging between 42 feet to 45 feet high. The buildings consist of varying rooflines that include parapet walls for architectural design and to screen the rooftop mounted equipment from public view. Building 7 is a 2 story structure, measuring up to 26 feet high to the top of the parapet wall. Garages are located immediately below the unit within the 2 story multiple family building. The exterior of the buildings consists of stucco, aluminum windows, and balconies. The 2 story clubhouse measures up to 36 feet in height and features varying rooflines with parapet walls. The exterior of the clubhouse consists of stucco, an aluminum storefront window system, and balconies. The pool building measures 12.5 feet in height and features a stucco exterior. All buildings will be painted with varying colors consisting of parchment paper, flintstone, driftwood, and salem black.

### Floor Plans

The plans depict a total of 344 units consisting of 110, one bedroom units, 204, two bedroom units, and 30, three bedroom units. The plans depict a 2 story clubhouse area measuring 12,291 square feet in area featuring a gym, leasing offices, restroom facilities, foyer, theater, business center, mail room, and miscellaneous rooms available to the residents of the development.

### Applicant's Justification

The proposed multiple family residential development is intended to help serve the needs of the local community with much needed housing and therefore makes the proposed request appropriate and compatible with the immediate area. The applicant provides the following reasons for the proposed height increase of 10 feet 1) an urban architectural design that provides

for enhanced architectural elements, including enhanced parapet walls; 2) each floor has a higher ceiling than a traditional multiple family unit; and 3) the additional increase is not for livable space/use but rather for architectural/interior enhancement. The increased building height has been routinely approved with other multiple family residential developments with no known adverse impacts to the immediate area. Finally, the 45 foot building height is consistent with buildings in the immediate area that consist of a hospital and shopping centers. The second waiver of development standards request is to waive the right-of-way dedication requirements for 3 public streets. The first request, a segment of right-of-way being Mardon Avenue, is appropriate since the segment of Mardon Avenue would result in a dead end public street and not serve a public purpose. The second request, a segment of right-of-way being Miller Lane, is appropriate since the segment of Miller Lane would result in a dead end public street and not serve a public purpose. The third request, a segment of right-of-way being Warbonnet Way, is appropriate since the segment of Warbonnet Way would result in a dead end public street and not serve a public purpose.

The landscaping alternative is to provide landscape diamonds rather than landscape fingers with greater separations than provided for in Code. Consistent with the provided landscape plan and parking lot landscape exhibits, the parking lot trees that are provided far exceed the amount required per Code with the alternative requested related to landscape diamonds, spatial distribution of trees, and location of required trees. However, the alternative still provides for the intent of the provision and along with the inordinate amount of open space, street landscaping, and overall site landscaping, there will be no visual difference between the alternative and the required provision. The submitted plans depict 215 large parking lot trees that are provided where 149 medium or large parking lot trees are required. Finally, this alternative has been approved multiple times for this type of development with no known impacts. The increase in finished grade to the site is lower toward the southeast portion of the overall site which will require excess fill. There is a large swale and dugout hole at the point where the fill will be increased. Based on the site topography and to maintain proper drainage, the applicant is requesting to increase the finished grade to 116.4 inches (9.7 feet) where a maximum of 36 inches (3 feet) is the standard per Code. This information is based on preliminary data and the applicant will continue to work with staff to evaluate the site through the technical studies required for this application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0275-08	Vacated and abandoned a 5 foot wide portion of right-of-way being Warm Springs Road - expired	Approved by PC	May 2008
ZC-1695-05 (WC-0079-07)	Waived conditions requiring right-of-way dedications for Myers Street, Mardon Avenue, and related spandrel in conjunction with a future commercial development	Approved by BCC	May 2007
TM-0040-07	1 lot commercial subdivision - expired	Approved by PC	July 2007
ZC-1695-05	Reclassified the subject property to C-1 zoning for a future commercial development	Approved by BCC	December 2005



### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Business Employment	C-2, M-D, & R-E	VA clinic, warehouse development, & mortuary
South	Public Use	P-F	Undeveloped
East	Neighborhood Commercial	C-2	Commercial complex
West	Neighborhood Commercial	C-1	Undeveloped

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

### Related Applications

Application Number	Request
VS-23-0765	A request to vacate and abandon a portion of right-of-way being Warm Springs Road is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive 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 states there have been land use trends in the immediate area which have substantially changed the character of the area that merits consideration of a multiple family residential request. Not all the changes or character to the area have occurred since the most recent overhaul and adoption of the new Master Plan which occurred in December 2021, but this portion of the Warm Springs Road corridor has substantially changed over the last couple of years. Additional and larger employment and activity centers have developed in the immediate area with over 1.5 million square feet of commercial services within a mile of the site. In fact, approximately one-quarter and one-half mile to the west and east is an overabundant number of commercial services for future residents. The increased employment and activity centers have created an increase in housing demands for the immediate area. Durango Drive, Buffalo Drive, Rainbow Boulevard, and Warm Springs Road are principal arterial streets and primarily planned and developed with commercial uses except for the recent approvals of single family detached, single family attached, and multiple family developments. The daily traffic counts along portions of these corridors continue to increase with planned and existing mass transit (RTC) facilities.

Immediately to the north of the proposed development, across Warm Springs Road, is the VA Southwest Primary Care Clinic, a warehouse development, and a mortuary, zoned C-2, M-D, and R-E, respectively. To the east of the project site is an existing commercial complex consisting of an in-line retail building, restaurants, a convenience store, and a gasoline station. To the west and south of the site are undeveloped parcels zoned C-1 and P-F, respectively. Due to an increase in demand for multiple family housing options within unincorporated Clark County, including Spring Valley, staff finds the proposed nonconforming 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 indicates that directly abutting or contiguous to the subject site are intense zoning districts with approved high density residential or intense commercial and industrial developments. The immediate area is also planned with new land use categories such as Compact Neighborhood (CN) and Corridor Mixed-Use (CM) which will provide for multiple family residential. The proposed R-4 zoning is entirely appropriate, consistent, and compatible with the existing and planned land uses in the immediate area. Within walking distance of the project site is the last remaining areas within Spring Valley that are planned for Business Employment (BE) and proposed to be the economic/employment sectors of the area by encouraging light industrial development that will bring jobs and add to the economy of the Las Vegas Valley. Also within walking distance are uses which residents will need on a daily or weekly basis such as, but not limited to, grocery stores, banks, retail shopping stores, mini storage, pharmacies, restaurants, taverns, and other drinking establishments. These planned and existing uses further increase the demand for housing. To the southwest and south is an existing regional park facility and high school. The Neighborhood Commercial (NC) land use category includes supporting and complementary land uses. The proposed R-4 zoning is entirely appropriate, consistent, and compatible with the existing and planned land uses in the immediate area and will complement the area for a balanced land use pattern.

Immediately to the north of the proposed development, across Warm Springs Road, are developed parcels featuring commercial and institutional uses with a planned land use of Business Employment and Corridor Mixed-Use. To the east of the project site is an existing commercial development with a planned land use of Neighborhood Commercial. To the west and south of the site are undeveloped parcels with planned land uses of Neighborhood Commercial and Public Use, respectively. Approximately 333 feet to the west of the project site is a previously approved R-4 multiple family development (NZC-23-0076) consisting of 13.7 acres featuring 340 dwelling units with a density of 25 dwelling units per acre. The proposed R-4 zoning is compatible with the density and intensity of the existing and planned land uses in the area, and with the previously approved multiple family development to the west of the project site. Furthermore, the multiple family development should provide an appropriate transition between the C-1 and R-4 zoning to the west and the C-2 zoning to the east of the project site.

- 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 development will not have an adverse, negative impact on services and facilities not already planned in the area with new land use categories such as Compact Neighborhood (CN) and Corridor Mixed-Use (CM) which will provide for multiple family residential or for the Neighborhood Commercial (NC) land use designation currently planned on this site. This development will provide an inordinate amount of on-site open space and recreational opportunities for the residents and will be a highly amenitized use rather than a traditional commercial development that will rely entirely on Clark County facilities. Additionally, resident preference through convenience is to use on-site recreational areas rather than off-site areas; therefore, the on-site recreational amenities will not overburden Clark County recreational facilities. Finally, the applicant will mitigate any additional impacts the project may have on the immediate area. To that end, only 30 of the 344 proposed units are 3 bedroom which will discourage families with school aged children and not negatively impact the schools in the area.

There has been no indication from service providers that this request will have an adverse or substantial effect on public facilities and services. The Regional Infrastructure Services Evaluation Report indicates that this development would generate 48 additional elementary school, 23 middle school, and 26 high school students.

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

The applicant states the proposed multiple family development fully complies and furthers goals and policies contained within the Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The project furthers Goal 1.1 which encourages providing opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities. Additionally, the request complies and furthers Goal 1.3 which encourages development of new neighborhoods that embody the County's core values. The request is compliant with specific policies related to residential development and housing options as follows: 1) mix of housing types which encourages, in part, the provision of diverse housing types at varied densities and in numerous locations; 2) the concentration of higher density housing in areas with access to existing or planned high frequency transit, major employment centers, existing infrastructure, and other services; 3) neighborhood identity which encourages the integration of varied housing models, architectural styles, streetscapes, signage, common landscaped areas and other character defining features that contribute to a distinct neighborhood identity; 4) mix of housing options within neighborhoods encourages, in part, a mix of housing options, both product types and unit sizes, within neighborhoods; 5) the integration of grocery stores, restaurants, medical offices, and other daily needs services as part of or adjacent to new neighborhoods to minimize the need for longer vehicle trips; and 6) the integration and connection of parks, trails, common open space, recreational amenities, or other features in new neighborhoods to enhance the health and quality of life of residents.

Staff finds the proposed nonconforming zone boundary amendment conforms to several goals and policies in the Master Plan. Goal 2 of the plan encourages providing opportunities to mix uses such as commercial, office, and multiple family residential near one another. Furthermore, Goal 10 promotes higher intensity activity centers with multiple uses such as business, commercial, and multiple family residential. Additionally, Growth Management, Community Design Policy 6 encourages the adjacency of living and employment opportunities; therefore, the location of the proposed R-4 residential zoning district is an appropriate and compatible use with the existing and planned residential and commercial developments within the surrounding area.

## **Summary**

### **Zone Change**

A substantial increase in commercial development in the area has contributed to an increased demand for housing. In addition, the proposed R-4 zoning is compatible with the density and intensity of the surrounding developments and planned uses. Utility purveyors have not indicated that the zoning would negatively impact public facilities and services, and the proposed zoning complies with goals and policies in the Master Plan; therefore, staff can support the nonconforming zone boundary amendment to R-4 zoning.

### **Use Permit**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The proposed multiple family development, consisting of 344 units, is defined as a High Impact Project as it exceeds a total of 500 dwelling units when combined with the previously approved multiple family development (NZA-23-0076) 533 feet to the west. The purpose of the R-4 zoning district is to provide for the development of high-density residential use, including apartments, and to prohibit the development of incompatible uses that are detrimental to the high-density residential use. The proposed multiple family development, consisting of 24.2 dwelling units per acre, complies with several goals and policies in the Master Plan. For example, the goal of Policy 6.2.1 is to ensure the design and intensity of new development is compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. In addition, Policy 3.6.2 encourages compact, mixed-use, and transit oriented development, or any combination thereof, in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. In this development, residents will be able to walk to adjacent retail uses, which will reduce automobile dependency. Furthermore, the James Regional Sports Complex and park facilities are located within a half mile walking distance from the proposed development. The height is also appropriate at this location since commercial, industrial, and public facility (Southwest VA Clinic) are in proximity to the project site. For example, the warehouse development to the north of the site, across Warm Springs Road, was approved up to 40 feet in height. Therefore, staff recommends approval.

### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

### Waiver of Development Standards #1

The increased building height is necessary to accommodate the vaulted ceilings within the dwelling units, in addition to screening the mechanical units with parapet walls. The screening for the mechanical units provides an additional architectural enhancement to the buildings. Furthermore, the increased building height is not for habitable space but rather for architectural enhancement; therefore, staff recommends approval.

### Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the multiple family development. The site requires 149 trees for the interior parking lot area where the site has been designed to include 215 trees that will be distributed throughout the interior of the development. Staff finds the proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area; therefore, staff recommends approval.

### Design Review #2

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new developments to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. The proposed development is consistent and compatible with the office and multiple family development to the west and the commercial development to the north. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. Furthermore, the buildings include off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights; therefore, staff can support this request.

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

### Waiver of Development Standards #2

Staff has no objection to not dedicate Miller Street, Mardon Avenue, and Warbonnet Way alignments as they are not necessary for access and the alignments will not continue through as the property to the south is designated for a park expansion.

### Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff

will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Department of Aviation**

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

#### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

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

##### **Comprehensive Planning**

- Resolution of Intent to complete in 3 years.
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 Master Plan Amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **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 approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### **Department of Aviation**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0421-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: LV WS MEYERS, LLC  
CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012**







October 23, 2023

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

**PLANNER  
COPY**

**RE: REVISED - Non-conforming zone boundary amendment, waiver of development standards, and design review – Project and Compelling Justification (APN: 176-09-501-010)**

On behalf of LV WS Meyer, LLC, we are requesting a non-conforming zone boundary amendment (zone change) to R-4 zoning, waiver of development standards, and design reviews for a proposed 344 unit multiple family residential development consisting of 15 buildings for an anticipated density of 24.2 dwelling units per acre. The subject site is 14.23 acres, zoned C-1, and located on the south side of Warm Springs Road, 350 feet west of Buffalo Drive. The site is located within the CMA Overlay District and located within walking distance of the last remaining areas within Spring Valley that are planned for Business Employment (BE) and proposed to be the economic/employment sectors of the area by encouraging light industrial development that will bring jobs and add to the economy of the Las Vegas Valley.

Based on the proposed location and attached site plan with corresponding setbacks, parking, and buffering, the proposed use is entirely consistent with the intent of the R-4 zoning district. The project is in full compliance with relevant Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional residential developments to serve the overabundant commercial areas along Warm Springs Road, Buffalo Drive, and Durango Drive.

### **Non-Conforming Zone Boundary Amendment – Compelling Justification**

- 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 amendment appropriate*

There have been land use trends in the immediate area which have substantially changed the character of the area that merits consideration of a multiple family residential request. Not all the changes or character to the area have occurred since the most recent overhaul and adoption of the new Clark County Master Plan which occurred in December 2021, but this portion of the Warm Springs Road corridor has substantially changed over the last couple of years. Additional and larger employment and activity centers have developed in the immediate area with over 1.5 million square feet of commercial services within a mile of the site. In fact, approximately one-quarter and one-half mile to the west and east, is an overabundant number of commercial services for future residents. The increased employment and activity centers have created an increase in housing demands for the immediate area. Durango Drive, Buffalo Drive, Rainbow Boulevard, and Warm Springs Road are principal arterial streets and primarily planned and developed with commercial uses except for the recent approvals of single family detached, single family attached, and multiple family developments. The daily traffic counts along these portions of these corridors continue to increase with planned and existing mass transit (RTC) facilities.

The proposed multiple family residential development is intended to help serve the needs of the local community with much needed housing and therefore makes the proposed request appropriate and compatible with the immediate area.

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

Directly abutting or contiguous to the subject site are intense zoning districts with approved high density residential or intense commercial and industrial developments. The immediate area is also planned with new land use categories such as Compact Neighborhood (CN) and Corridor Mixed-Use (CM) which will provide for multiple family residential. The proposed R-4 zoning is entirely appropriate, consistent, and compatible with the existing and planned land uses in the immediate area. Within walking distance of the project site is the last remaining areas within Spring Valley that are planned for Business Employment (BE) and proposed to be the economic/employment sectors of the area by encouraging light industrial development that will bring jobs and add to the economy of the Las Vegas Valley. Also, within walking distance are uses which residents will need on a daily or weekly basis such as, but not limited to, grocery stores, banks, retail shopping stores, mini storage, pharmacies, restaurants, taverns, and other drinking establishments. These planned and existing uses further increase the demand for housing. To the southwest and south is an existing regional park facility and high school. The Neighborhood Commercial (NC) land use category includes supporting and complementary land uses. The proposed R-4 zoning is entirely appropriate, consistent, and compatible with the existing and planned land uses in the immediate area and will complement the area for a balanced land use pattern.

- 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*

The proposed development will not have an adverse, negative impact on services and facilities not already planned in the area with new land use categories such as Compact Neighborhood (CN) and Corridor Mixed-Use (CM) which will provide for multiple family residential or for the Neighborhood Commercial (NC) land use designation currently planned on this site. This development will provide an inordinate amount of on-site open space and recreational opportunities for the residents and will be a highly amenitized use rather than a traditional commercial development that will rely entirely on Clark County facilities. Additionally, resident preference through convenience is to use on-site recreational areas rather than off-site areas; therefore, the on-site recreational amenities will not overburden Clark County recreational facilities.

Various Clark County service departments will review this development proposal and assess whether there are adequate services available in the immediate area. Since the site is located within the Public Facilities Needs Assessment Area (PFNA), any minimal impacts on services and facilities will be adequately mitigated with a standard development agreement and the most recent mitigation fees for parks and public safety. Recently, Clark County has used the PFNA fees to appropriately mitigate any potential impacts for development approvals with similar or larger unit counts in the southwest part of the Las Vegas Valley. Finally, the applicant will mitigate any additional impacts the project may have on the immediate area. To that end, only 30 of the 344 proposed units are three bedroom which will discourage families with school aged children and not negatively impact the schools in the area.

As important as other mitigation measures, this project will complete the much needed full off-site improvements for this portion of the unimproved segments of Warm Springs Road and Cimarron Road which will facilitate traffic and pedestrian movement and provide for seamless and improved streetscapes.

#### 4. *The proposed amendment conforms to other applicable adopted plans, goals, and policies*

The proposed multiple family development fully complies and furthers goals and policies contained within the Clark County Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The project furthers Goal 1.1 which encourages providing opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities. Additionally, the request complies and furthers Goal 1.3 which encourages development of new neighborhoods that embody Clark County's core values.

The request is compliant with specific policies related to residential development and housing options as follows:

1. Policy 1.1.1: Mix of Housing Types which encourages, in part, the provision of diverse housing types at varied densities and in numerous locations;
2. Policy 1.1.2: Housing Access which encourages the concentration of higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services;
3. Policy 1.3.1: Neighborhood Identity which encourages the integration of varied housing models, architectural styles, streetscapes, signage, common landscaped areas and other character defining features that contribute to a distinct neighborhood identity;
4. Policy 1.3.2: Mix of Housing Options within Neighborhoods encourages, in part, a mix of housing options, both product types and unit sizes, within neighborhoods;
5. Policy 1.3.3: Neighborhood Services encourages the integration of grocery stores, restaurants, medical offices, and other daily-needs services as part of or adjacent to new neighborhoods to minimize the need for longer-vehicle trips. Promote direct connections that allow residents to safely access services on foot or by bike; and
6. Policy 1.3.5: Neighborhood Livability encourages, in part, the integration and connection of parks, trails, common open space, recreational amenities, or other features in new neighborhoods to enhance the health and quality of life of residents

#### **Special Use Permit**

Certain prescribed uses are only permitted with a special use permit and not permitted by right due to a special characteristic of its operation or installation. The use may be permitted with discretion in a district subject to review by the Commission or the Board to ensure compatibility with existing or planned surrounding uses and characteristics of development.

The special use permit request is for a High Impact Project (HIP). A HIP has several thresholds related to potential impacts that qualify a project as a HIP. One of the thresholds is 500 or more dwelling units. We are proposing an upscale multiple family development consisting of 344 dwelling units which taken individually does not reach the threshold of dwelling units. However, the applicant recently had an identical property approved (NZN-23-0076) within the immediate area (330 feet to the west). Therefore, since both are in close proximity the cumulative number of units exceeds the minimum threshold for a

HIP. There are several standards that must be addressed with a HIP that relate to mitigation of impacts and compatibility, aesthetic integration, and pedestrian connectivity. We are fully compliant and exceed the compatibility, aesthetic integration, and pedestrian connectivity standard by the submitted plans that depict an upscale development. Additionally, the project provides for convenient pedestrian movement and connectivity along Warm Springs Road with pedestrian access gates to encourage pedestrian movement. As it relates to the impact mitigation, that is fully addressed in the compelling justification item related to not having a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities. Specifically, the proposed use has a traffic generation that is 78% less than the Master Plan designation which is consistent with the current approved zoning of C-1.

## **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.

We are requesting four (4) waiver requests as follows:

The first waiver request is for increased building height. The R-4 zoning district, while allowing increased residential densities, has a maximum allowable height of 35 feet. The proposed 3 story buildings are 45 feet in height. Therefore, we are requesting an increase in building height of 45 feet where 35 feet is the standard. The reasons for the increase of 10 feet are as follows: 1) an urban architectural design that provides for enhanced architectural elements, including enhanced parapet walls; 2) each floor has a higher ceiling than a traditional multiple family unit; and 3) the additional increase is not for livable space/use but rather for architectural/interior enhancement. The increased building height has been routinely approved with other multiple family residential developments with no known adverse impacts to the immediate area. Finally, the 45 foot building height is consistent with buildings in the immediate area that consist of a hospital and shopping centers.

The second waiver request is to waive the dedication of a right-of-way being Mardon Avenue per Section 30.52.030. The request is appropriate since the segment of Mardon Avenue would result in a dead end public street and not serve a public purpose.

The third waiver request is to waive the dedication of a right-of-way being Miller Lane per Section 30.52.030. The request is appropriate since the segment of Miller Lane would result in a dead end public street and not serve a public purpose.

The fourth waiver request is to waive the dedication of a right-of-way being Warbonnet Way per Section 30.52.030. The request is appropriate since the segment of Warbonnet Way would result in a dead end public street and not serve a public purpose.

## **Site Plan, Landscaping, and Elevations**

The proposed buildings will be equitably distributed throughout the site with required street landscaping along all rights-of-way, perimeter screening and buffering, and parking lot landscaping. The project provides for convenient pedestrian movement and connectivity along Warm Springs Road with pedestrian

access gates to encourage pedestrian movement. The site provides for a single access driveway entry from Warm Springs Road. Since access to the site is from Warm Springs Road, there will be no negative impacts to the surrounding properties. Finally, this project will complete the full off-site improvements for the remaining unimproved segment of Warm Springs Road which will facilitate traffic and pedestrian movement and provide for a seamless, improved rights-of-way. The property owner to the east does not want any additional landscaping since the main building of the commercial center has signage on the west side of the building.

The buildings are a mix of 2 and 3 story and 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.

### Design Reviews

The applicant is requesting design reviews for the following: 1) site and building design; 2) alternative parking lot landscaping; and 3) increased finished grade.

The first design review is for a 344 unit multiple family residential development consisting of 15 buildings on 14.23 acres for a proposed density of 24.2 units per acre along with all proposed building elevations, landscaping and screening, and other site elements as referenced above. A summary of the site elements includes the outdoor amenities that include recreation building, pool, fitness center, useable open space areas within the development, and pedestrian access points along Warm Springs Road. The site and building design is consistent and compliant to all Title 30 provisions including the CMA Overlay District.

The second design review is for alternative parking lot landscaping. The landscaping alternative is to provide landscape diamonds rather than landscape fingers with greater separations than provided for in Figure 30.64-14. Consistent with the provided landscape plan (Exhibit A1.3) and parking lot landscape exhibits (A1.3 a and b), the parking lot trees that are provided far exceed the required per Figure 30.64-14 with the alternative requested related to landscape diamonds, spatial distribution of trees, and location of required trees. However, the alternative still provides for the intent of the provision and along with the inordinate amount of open space, street landscaping, and overall site landscaping, there will be no visual difference between the alternative and the required provision. The submitted plans depict 215 large parking lot trees that are provided where 149 medium or large parking lot trees are required. Finally, this alternative has been approved multiple times for this type of development with no known impacts.

The third design review is for increased finished grade. The site is lower toward the southeast portion of the overall site which will require excess fill. There is a large swale and dugout hole at the point where the fill will be increased. Based on the site topography and to maintain proper drainage, we are requesting to increase the finished grade to 116.4 inches (9.7 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32. This information is based on preliminary data and we will continue to work with staff to evaluate the site through the technical studies.

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

## D G Consultants

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,

Dominic Smith





01/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0765-LV WS MEYER, LLC:

VACATE AND ABANDON a portion of right-of-way being Warm Springs Road located between Buffalo Drive and Cimmaron Road within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-09-501-010

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

**Project Description**

The plans depict the vacation and abandonment of a zero foot to 5 foot wide portion of right-of-way being Warm Springs Road. The vacation of the right-of-way is necessary to accommodate the required detached sidewalk along Warm Springs Road.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0275-08	Vacated and abandoned a 5 foot wide portion of right-of-way being Warm Springs Road - expired	Approved by PC	May 2008
ZC-1695-05 (WC-0079-07)	Waived conditions requiring right-of-way dedications for Myers Street, Mardon Avenue, and related spandrel in conjunction with a future commercial development	Approved by BCC	May 2007
TM-0040-07	1 lot commercial subdivision - expired	Approved by PC	July 2007
ZC-1695-05	Reclassified the subject property to C-1 zoning for a future commercial development	Approved by BCC	December 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Business Employment	C-2, M-D, & R-E	VA clinic, warehouse development, & mortuary
South	Public Use	P-F	Undeveloped

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Neighborhood Commercial	C-2	Commercial complex
West	Neighborhood Commercial	C-1	Undeveloped

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

### Related Applications

Application Number	Request
NZC-23-0764	A nonconforming zone change to reclassify the project site from a C-1 to an R-4 zone for a multiple family development, with waivers of development standards and design reviews, is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Public Works - Development Review

Staff has no objection to the vacation of right-of-way for detached sidewalks.

##### Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### 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:** LV WS MEYERS, LLC

**CONTACT:** DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012

**DRAFT**





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

2

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>XS 23-0765</u> DATE FILED: <u>11/2/23</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>12/12/23</u> PC MEETING DATE: <u>1/2/24 @ 7:00 PM</u> @ <u>6:00 PM</u> BCC MEETING DATE: <u>3/7/24 @ 9:00 AM</u> FEE: <u>\$ 875.00</u>
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PROPERTY OWNER	NAME: <u>LV WS Meyers, LLC</u> ADDRESS: <u>6655 S. Eastern Avenue, #250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u>
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APPLICANT	NAME: <u>LV WS Meyers, LLC</u> ADDRESS: <u>6655 S. Eastern Avenue, #250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>
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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>
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ASSESSOR'S PARCEL NUMBER(S): 176-09-501-010

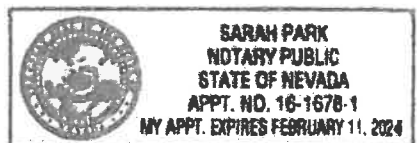
PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Road and Buffalo Drive

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.

Martin Egbert  
 Property Owner (Signature)

Martin Egbert  
 Property Owner (Print)

STATE OF NEVADA      CLARK  
 COUNTY OF  
 SUBSCRIBED AND SWORN BEFORE ME ON 3/2/2022 (DATE)  
 By Martin Egbert  
 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.

May 20, 2022

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

**RE: Vacation and Abandonment of Right-of-Way (Warm Springs Road) – (APN: 176-09-501-010)**

On behalf of LV WS Meyer, LLC, we are requesting a vacation and abandonment for a portion of right-of-way for a proposed development consisting of a **multiple family residential development**. The subject development site is located on the south side of Warm Springs Road, 350 feet west of Buffalo Drive.

The request is to vacate and abandon a range in widths for portions of Warm Springs Road for purposes of constructing detached sidewalks. The right-of-way is no longer needed and will facilitate the development of the subject site. Additionally, this request will facilitate the much needed full off-site improvements along both the street which will facilitate pedestrian and vehicular movements and provide for a seamless, improved streetscape.

Thank you for your consideration.

Sincerely,

*Dionian Smith*

**PLANNER  
COPY**

01/02/24 PC AGENDA SHEET

COMMERCIAL DEVELOPMENT  
(TITLE 30)

ROBINDALE RD/DURANGO DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**PA-23-700038-DURANGO ROBINDALE, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) on 0.8 acres.

Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley. MN/rk (For possible action)

RELATED INFORMATION:

**APN:**  
176-09-301-008

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

**BACKGROUND:**  
General Summary  
Site Address: N/A  
Site Acreage: 0.8

Applicant's Justification  
The applicant states that the request is consistent with the overall intent of the Master Plan and the proposed tavern use will complement the neighboring commercial development to the north. Located adjacent to a partially developed commercial center on the corner of an arterial road, a planned land use designation of CM is compatible with the surrounding uses. The site is largely surrounded by public facilities, commercial uses, and single family residential properties buffered by Durango Drive to the west. Lastly, the applicant indicates the subject property is adjacent to public transportation, which is an appropriate location through policies in the Master Plan for such commercial designations as Corridor Mixed-Use.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-22-400032 (UC-19-0867)	First extension of time for a vehicle wash	Approved by BCC	April 2022
UC-19-0867	Vehicle wash	Approved by BCC	December 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0565-15	Reclassified this parcel to C-1 zoning for an access drive aisle to the adjacent parcel to the north which is developed with a convenience store with gas pumps, and site landscaping	Approved by BCC	October 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Public Use	C-1 & P-F	Commercial center, mini-warehouse, soccer fields & parking lot
South & East	Public Use	P-F	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential (Rhodes Ranch)

**Related Applications**

Application Number	Request
ZC-23-0744	A zone change to reclassify this site to C-2 zoning for a proposed tavern with associated use permits, waivers, and design review is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

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

**Analysis****Comprehensive Planning**

The applicant requests a change from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM). Intended primary land uses in the proposed CM land use designation include a mix of retail, restaurants, offices, service commercial, entertainment, and other professional services. Supporting land uses include moderate density multiple family residential dwellings, as well as public facilities such as civic and government uses, plazas, pocket parks, places of assembly, schools, libraries, and other complementary uses.

Staff finds the request for the Corridor Mixed-Use (CM) land use designation appropriate for this location. Over the past 15 years, commercial development along this section of Durango Drive has seen rapid growth based on the increasing residential development in this part of the Valley. Multiple commercial zone changes, both north and south of the subject site, have occurred for higher intensity commercial uses. The adjacent properties to the north are developed with the following uses: convenience store, gasoline station, and mini-warehouse. The adjacent property to the west is part of a larger regional park with soccer fields and a parking lot, and the abutting



property to the south is an undeveloped portion of the regional park. Therefore, redesignating the site to CM is in line with the uses established in the area.

The request to CM complies with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. The request also conforms to Policy 2.3.6 of having access to services in locations that have or are planned for high frequency transit. Staff finds the request to redesignate the site to Corridor Mixed-Use (CM) land use designation appropriate for this location.

**Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

**TAB/CAC:**

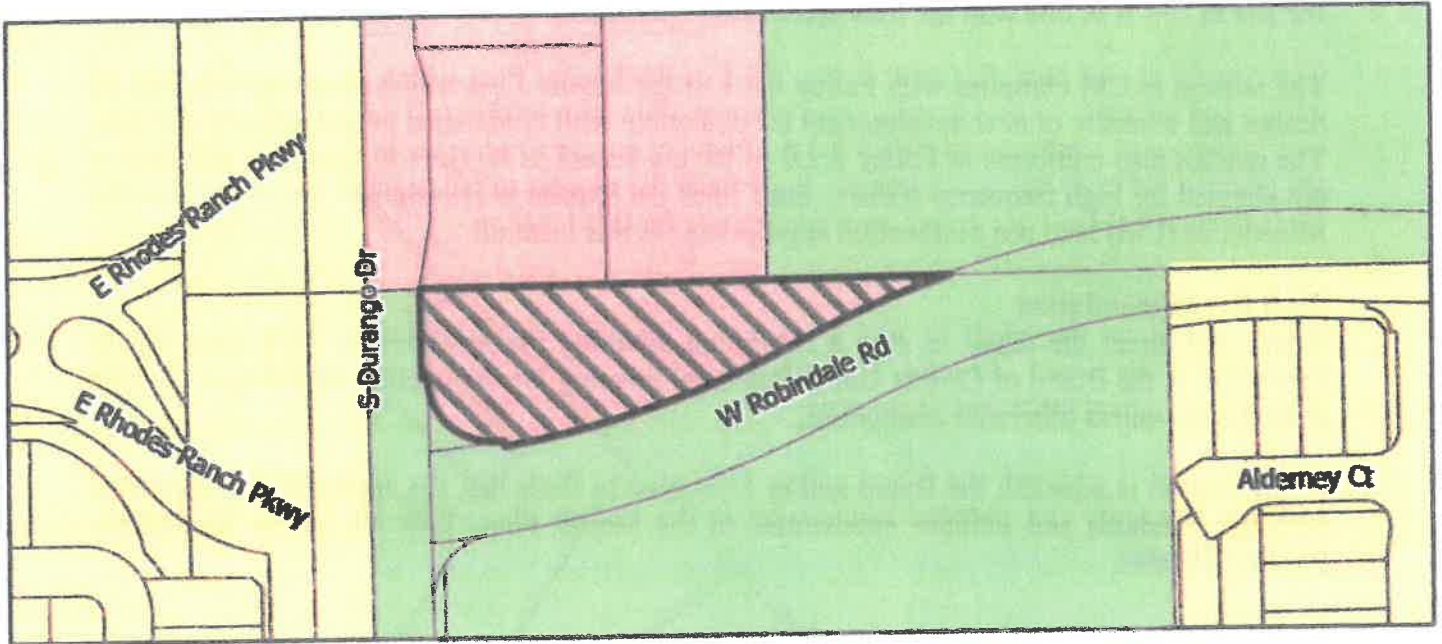
**APPROVALS:**

**PROTEST:**

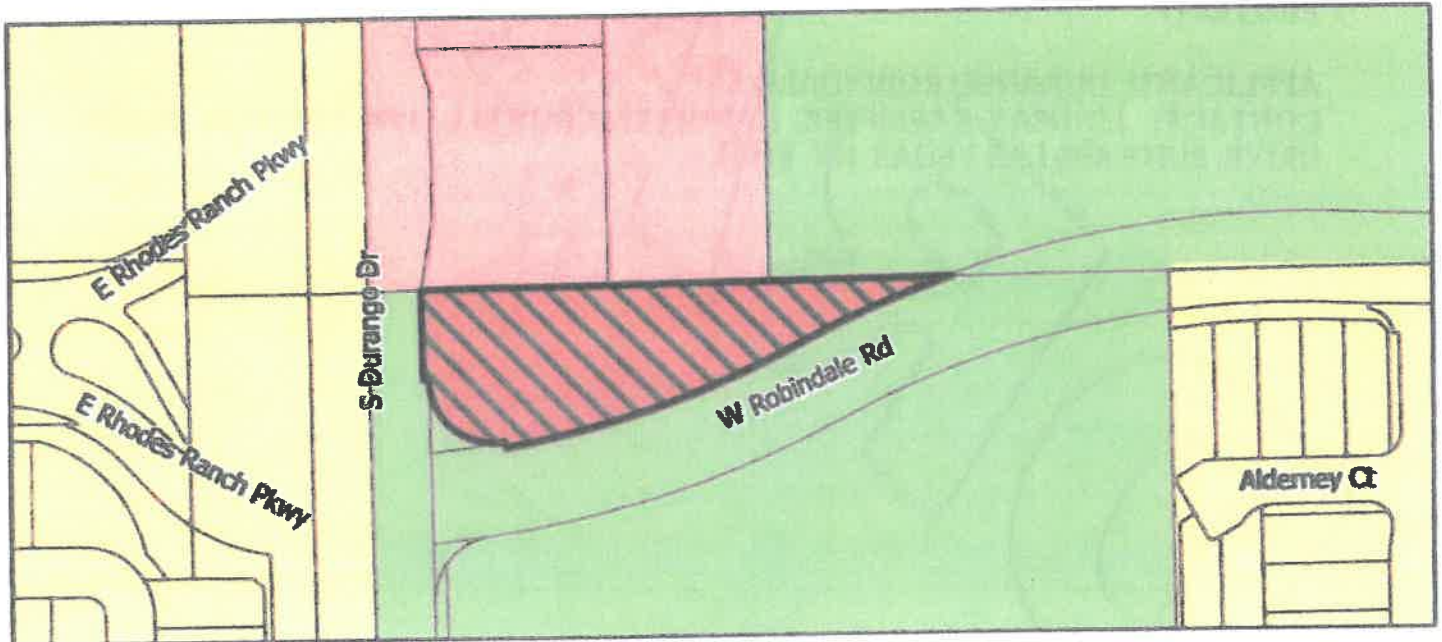
**APPLICANT:** DURANGO ROBINDALE, LLC

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

# Planned Land Use Amendment PA-23-700038



**Current**



**Requested**

**Neighborhoods**

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

**Employment**

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

**Commercial and Mixed Use**

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

**Other**

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

DRAFT

Spring Valley  
Clark County, Nevada

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



# AGENDA LOG AMENDMENT

Department of Comprehensive Planning

3

Application Number: PA-23-700038

Property Owner or Subdivision Name: Durango Robindale, 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) TAB: 11/28/23; PC: 12/19/23; BCC: 1/17/24

Amend Write-up

Renotify

Make a public hearing (Radius: \_\_\_\_\_)

Rescheduling

Other: Removing parcels: 176-09-201-004; & 176-09-201-005

Additional fees – \$AMOUNT OF ADDITIONAL FEES: \_\_\_\_\_

Refund

80%

100% (please include justification for full refund below)

AMOUNT OF REFUND\$: \_\_\_\_\_

**Reason for Change:** When the pre-review application was cloned for the Plan Amendment and Zone Change, all the APN numbers were pulled over from the APR. The scope of the PA only includes parcel number: 176-09-301-008. See parcels above that are being removed.

Change initiated by: ROK Date: 11/01/23

Change authorized by: RR Date: 11/01/23

Change processed by: CT Date: 11/01/23

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

Parcel Number(s): 176-09-301-008

Town Board(s): Spring Valley



01/02/24 PC AGENDA SHEET

TAVERN  
(TITLE 30)

ROBINDALE RD/DURANGO DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ZC-23-0744-DURANGO ROBINDALE, LLC:

**ZONE CHANGE** to reclassify a 0.8 acre portion of a 2.2 acre site from a C-1 (Local Business) Zone to a C-2 (General Commercial) Zone.

**USE PERMITS** for the following: 1) outside dining, drinking, and cooking; and 2) eliminate pedestrian access.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow modified driveway design standards; 2) alternative landscaping; and 3) non-standard improvements in the right-of-way.

**DESIGN REVIEWS** for the following: 1) tavern; and 2) finished grade in the CMA Design Overlay District.

Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley (description on file). MN/r/syp (For possible action)

RELATED INFORMATION:

APN:  
176-09-210-004; 176-09-210-005; 176-09-301-008 pm

**USE PERMITS:**

1. Outside dining, drinking, and cooking within a rooftop patio area not in conjunction with a supper club, tourist club, mixed use development, or restaurant.
2. Eliminate the minimum 48 inch wide pedestrian access around the perimeter of an outside dining area.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the throat depth for an existing driveway on Robindale Road to a minimum of 3 feet 2 inches where 25 feet is required per Uniform Standard Drawing 222.1 (an 88% reduction).
2. Allow alternative landscaping along Robindale Road and Durango Drive where landscaping per Figure 30.64-17 is required.
3. Allow non-standard improvements (landscaping) within the right-of-way on Robindale Road and Durango Drive.

**DESIGN REVIEWS:**

1. Tavern.

2. Increase finished grade to 40 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 12% increase).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.8 (zone change)/2.2 (site)
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 33.5
- Square Feet: 5,400
- Parking Required/Provided: 73/79

Site Plans

The plans depict a proposed 5,400 square foot tavern with a 750 square foot roof patio on the southernmost parcel APN 176-09-301-008 of 3 parcels located along the east side of Durango Drive north of Robindale Road. The proposed building is set back 93 feet from the west property line (Durango Drive) and 42 feet from the south property line (Robindale Road). The site is accessed from an existing driveway on Robindale Road. Cross access is provided to the 2 parcels to the north where access to Durango Drive is provided via 2 existing driveways. Parking areas are located on the east and west sides of the tavern and are connected by a 24 foot wide drive aisle. 24 parking spaces are proposed on the parcel. A loading zone is proposed at the eastern end of the parking lot, and a trash enclosure is located just east of the building. The parking analysis indicates the proposed tavern, in combination with the roof patio, will generate a need for 57 parking spaces. A parking agreement exists between the subject site and the 2 adjoining parcels to the north. There are 32 existing parking spaces on APN 176-09-210-005 which is the location of a convenience store and gas station. APN 176-09-210-004 farther to the north has some existing parking and is approved for a drive-thru restaurant with 22 parking spaces. The balance of the required parking will be met by utilizing existing parking spaces to the north.

Landscaping

The street landscaping along Durango Drive and Robindale Road will have a detached sidewalk with the landscape areas on each side of the sidewalk. A portion of the required landscape area will be within the right-of-way at the corner of Durango Drive and Robindale Road. As a result, waivers to allow landscaping in the right-of-way and for alternative on-site landscaping have been requested. Plans also show landscaping within the parking areas and at the eastern end of the property. All plants are in accordance with the Southern Nevada Regional Planning Coalition (SNRPC) Regional Plant List.

### Elevations

The plans depict a 1 story building that is 33.5 feet in height. Building materials consist of stucco with stone veneer finishes on parts of the building. Portions of the building have roof parapets and cornices, while the main entrance at the southwest corner of the building has a standing seam metal roof. Several storefront windows also feature canopies with standing seam metal. The rooftop patio area is secured by a 3.5 foot high wrought iron guardrail.

### Floor Plans

The plans show a proposed 5,400 square foot tavern with dining areas, bar, and kitchen on the ground floor. A 750 square foot rooftop patio area is connected to the ground floor by an interior staircase.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that the requested zone change to C-2 is appropriate and compatible with the surrounding area. There are similar uses in the Durango Drive corridor, both north and south of the site. The tavern will not be more intense than the existing and incoming uses in the area. The proposed development will complete this vacant corner and should improve the existing vehicular congestion and pedestrian connectivity.

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0343	Waived driveway width and throat depth for a restaurant with drive-thru service	Approved by BCC	November 2022
ET-22-400032 (UC-19-0867)	First extension of time for a vehicle wash	Approved by BCC	April 2022
UC-19-0867	Vehicle wash	Approved by BCC	December 2019
ZC-0565-15	Reclassified this parcel to C-1 zoning for southerly access to the adjacent parcel to the north which is developed with a convenience store with gas pumps	Approved by BCC	October 2015
DR-0969-14	Site lighting and signage in conjunction with an approved commercial development	Approved by PC	February 2015
UC-0138-11 (ET-0115-13)	First extension of time for a convenience store, service station, and car wash	Approved by PC	February 2014
UC-0138-11	Convenience store, service station, and car wash	Approved by BCC	November 2012
WS-0932-08	Increased building height for a commercial complex	Approved by PC	November 2008
TM-0344-07	Commercial subdivision	Approved by PC	February 2008

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-0682-05	Commercial subdivision	Approved by PC	January 2006
VS-1229-05	Vacated and abandoned easements of interest	Approved by PC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Gas station & convenience store
South	Public Use	P-F	Undeveloped
East	Neighborhood Commercial & Public Use	C-1 & P-F	Mini-warehouse, soccer fields, and parking lot
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 & P-F	Single family residential & golf course (Rhodes Ranch)

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

**Related Applications**

Application Number	Request
PA-23-700038	A plan amendment to redesignate the existing land use category from NC (Neighborhood Commercial) to CM (Corridor Mixed-Use) on 0.8 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****Comprehensive Planning****Zone Change**

The proposed zone change to C-2 requires approval of a concurrent amendment to redesignate 0.8 acres of the 2.2 acre site from NC (Neighborhood Commercial) to CM (Corridor Mixed-Use) so that the requested zone change may be in conformance to the Master Plan.

Over the past 15 years, commercial development along this section of Durango Drive has seen rapid growth based on the increasing residential development in this part of the Valley. The adjacent properties to the north are developed with a convenience store, gasoline station, and mini-warehouse. This area represents a node of commercial uses that serves the immediate area. Spring Valley Policy SV-1.5 encourages the development of commercial activity at nodes throughout the community as opposed to along linear commercial corridors. A zone change to C-2 will support this policy by maintaining the existing commercial node and expanding the allowed uses. Therefore, staff can support this request.



### Use Permits

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

A tavern is a permitted use in a C-2 zone. However, since it is not a supper club, tourist club, mixed use development, or restaurant, the outside dining, drinking, and cooking on the rooftop patio requires a use permit. Additionally, outside dining requires a minimum 48 inch wide pedestrian access around the perimeter of the outside dining area. However, this is requested to be eliminated due to the rooftop nature of the dining area. The intent is to use the rooftop patio for additional seating and dining areas, particularly following events at the nearby recreational facilities. The outside dining use is not within 200 feet of residential uses which are buffered by Durango Drive and Robindale Road. Based on this proposal, staff can support these requests.

### Waiver of Development Standards #2

The applicant is requesting to allow the placement of non-standard improvements consisting of landscaping and a detached sidewalk within the right-of-way at the corner of Robindale Road and Durango Drive (Waiver #3). Additionally, a portion of the required landscaping is in the right-of-way. As a result, a waiver for alternative landscaping is requested. Provided that waiver if development standards #3 is approved, staff does not object to eliminating the on-site landscaping provided that if for any reason the landscaping in the right-of-way is removed in the future because of road construction or other reasons, it is either replanted or replaced on-site.

### Design Review #1

The proposed site plan and building elevations indicate appropriate design characteristics, building materials, and other architectural features to help create an orderly and aesthetically pleasing environment that is compatible and harmonious with the surrounding area. The proposed design features cross access with the commercial development to the north, eliminating the need for any additional driveways on Durango Drive. Therefore, staff can support this design review.

### Public Works - Development Review

#### Waiver of Development Standards #1

Staff has no objection to the reduction of throat depth for the driveway on Robindale Road. The applicant worked with staff to remove parking spaces, which provides more room for vehicles to safely exit the right-of-way to gain access to the site.

#### Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

## Design Review #2

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

### **Staff Recommendation** Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- 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;
- If any landscaping in the right-of-way is removed in the future because of road construction or other reasons, it shall be replanted or replaced on-site by the applicant or owner;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and the 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;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0403-2023 to obtain your POC exhibit; and that flow contributions exceeding CWRD estimates may require another POC analysis.

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

**APPLICANT: DURANGO ROBINDALE, LLC  
CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135**

DRAFT





# AGENDA LOG AMENDMENT

Department of Comprehensive Planning

4

Application Number: ZC-23-0744

Property Owner or Subdivision Name: DURANGO ROBINDALE LLC

Public Hearing: Yes  No

Staff Report already created: Yes  No

Delete this application from the: **TAB/CAC** 11-28-23 **PC** 12-19-23 **BCC** 1-17-24

Add this application to the: **TAB/CAC** 12-12-23 **PC** 1-2-24 **BCC** 2-7-24

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

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

Reason for Change: Waiting on revised plans from applicant

Change initiated by: RR Date: 11-15-23

Change authorized by: NM Date: 11-15-23

Change processed by: ds Date: 11-15-23

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

Parcel Number(s): 176-09-301-004, 176-09-301-005 & 176-09-301-008

Town Board(s): SPRING VALLEY



5

01/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0760-SAHARA MEDICAL INSTITUTE, LLC:**

**USE PERMIT** to allow an on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant in an office and retail development on a portion of 0.8 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Duneville Street, 150 feet south of Sahara Avenue within Spring Valley. JJ/rp/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-12-102-007 ptn

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5781 W. Sahara Avenue
- Site Acreage: 0.8 (portion)
- Project Type: Supper club with outside dining and drinking
- Square Feet: 2,000

Site Plans & History

The plans depict an existing restaurant occupying a suite within an office and personal services development. No change is required or planned to the site design or restaurant. A supper club with outside dining and drinking previously occupied the same suite and went out of business in September 2022.

Landscaping

All street and site landscaping exists, and no new landscaping is required or proposed.

Elevations

The existing building is single story with stucco siding and glass storefront.

Floor Plans

The plans show a 2,000 square foot restaurant/supper club with a kitchen, restrooms, seating area, patio, and bar area.

**Applicant's Justification**

The applicant would like to sell alcohol while patrons eat at Te'kila Lil Time Bar and Grill.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0366-13	On-premises consumption of alcohol in conjunction with an existing restaurant - expired	Approved by PC	August 2013
UC-1594-05	Service bar in conjunction with another restaurant within the office and retail development	Approved by PC	November 2005
DR-168-92 & VC-860-92	Office and retail center with a variance to reduce parking	Approved by PC	December 1992

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	C-1	Office & retail development
East, South, & West	Corridor Mixed-Use	C-2	Shopping & commercial uses

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The site is surrounded by commercial properties and uses with the nearest residential use approximately 500 feet to the south. The suite was previously occupied with the same use with no known issues. Staff does not anticipate any negative impacts to the surrounding area. Therefore, staff can support the application.

**Staff Recommendation**

Approval

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



## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: TE'KILA LIL TIME BAR & GRILL LLC**

**CONTACT: MARISOL MEDINA, TE'KILA LIL TIME BAR & GRILL, 5781 W. SAHARA AVE #100, LAS VEGAS, NV 89146**



23-101442

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# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANR) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b> DATE FILED: <u>10/31/23</u> APPLICATION NUMBER: <u>23-0760</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> ACCEPTED BY: _____ TAB/CAC ETS DATE: <u>12/12</u> TIME: _____ FEE: <u>\$ 675</u> PC MEETING DATE: <u>1/2/24</u> CHECK #: _____ BCC MEETING DATE: _____ COMMISSIONER: _____ ZONE / AE / RNP: _____ OVERLAY(S)? _____ PLANNED LAND USE: _____ PUBLIC HEARING? Y / N NOTIFICATION RADIUS: _____ SIGN? Y / N TRAILS? Y / N PFNA? Y / N LETTER DUE DATE: _____
	<b>PROPERTY OWNER</b> NAME: <u>Sahara Medical Institute LLC</u> ADDRESS: <u>3341 Camino Gardens Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702) 823-5010</u> FAX: _____ CELL: _____ E-MAIL: _____
	<b>APPLICANT</b> NAME: <u>Jaime C. Cruz</u> ADDRESS: <u>5781 W. Sahara Ave. Ste 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ FAX: _____ CELL: _____ E-MAIL: _____
<b>PROPERTY OWNER</b> NAME: <u>Marisol Medina</u> ADDRESS: <u>5781 W Sahara Ave #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(909) 565-0716</u> FAX: _____ CELL: <u>(909) 565-5716</u> E-MAIL: <u>Tacohut4ue icloud.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-12-102-007

PROPERTY ADDRESS and/or CROSS STREETS: 5781 W. Sahara Ave. Ste 100

PROJECT DESCRIPTION: Beer & Wine

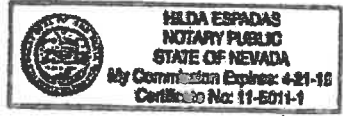
(I, We) the undersigned owner and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)\* [Signature] Property Owner (Print) Francisco Peraza

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 28 of May, 2013 (DATE)

By Francisco Peraza  
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.

# CIVIL ENGINEERING



**CIVIL  
ENGINEERING**

Oct 25, 2023

To Whom it may concern

Applying for use permit for  
alcohol sales in my Restaurant  
Tequila Lil Time Bar & Grill.  
5781 W Sahara Ave #100  
Las Vegas NV 89146.

Marisol Medina





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01/02/24 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

DUNEVILLE ST/COLEY AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0704-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS;

VACATE AND ABANDON easements of interest to Clark County located between Duneville Street and Lindell Road, and between Edna Avenue and Coley Avenue within Spring Valley (description on file). JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:  
163-12-303-005

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

BACKGROUND:

**Project Description**

The plans depict the vacation and abandonment of a 33 foot wide government patent easement along the east property line, and 3 foot wide government patent easements along the south and west property lines of ARN 163-12-303-005. This request is associated with a minor subdivision map (MSM-23-600005).

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Single family residential
East	Public Use	P-F	Elaine Wynn Elementary School

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-23-0703	A request to eliminate sidewalk, landscaping, and waive the drainage study is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KAO FAMILY TRUST ETAL & KAO JEFFREY TRS

**CONTACT:** LAS VEGAS CIVIL ENGINEERING, 2251 N. RAMPART BLVD, STE 418, LAS VEGAS, NV 89128



01/02/24 PC AGENDA SHEET

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SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

DUNEVILLE ST/COLEY AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0703-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate sidewalk and street landscaping; and 2) drainage study on 2.1 acres in an R-E (Rural Estate Residential) (RNP-I) Zone.

Generally located on the northeast corner of Duneville Street and Coley Avenue within Spring Valley. JJ/jud/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-12-303-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Eliminate street landscaping, including the detached sidewalk, along Coley Avenue where landscaping and detached sidewalks are required per Section 30.64.030 and Figure 30.64-17.
- b. Eliminate street landscaping, including the detached sidewalk, along Duneville Street where landscaping and detached sidewalks are required per Section 30.64.030 and Figure 30.64-17.
2. Waive drainage study where required per Section 30.52.050

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.1
- Number of lots: 4
- Project Type: Single Family Residential Minor Subdivision

**Request**

This is a request to waive a drainage study as well as detached sidewalk and street landscaping requirements associated with a minor subdivision map (MSM-23-600005).

**Site Plan**

The minor residential subdivision map indicates the 2.1 acres will be divided into 4 parcels. The lots range in size from 20,009 square feet to 27,454 square feet. The applicant is requesting a waiver of development standards to eliminate the required street landscaping and detached sidewalk. Additionally, the applicant is requesting to defer the drainage study until the property gets developed. At this moment the plan is to subdivide the lot and remain undeveloped.

**Landscaping**

No landscaping or sidewalks are provided along Coley Avenue or Duneville Street.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states previously approved developments in this area were granted relief from off-site improvements, and as such, this applicant requests the same relief at this time and for all future development on this property. Also, the applicant requests the drainage study to be deferred as it would be a waste of resources because no development is being proposed at this time and there are no known hazardous conditions that would be exacerbated by a parcel map recordation.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-D)	Single family residential
East	Public Use	P-F	Elaine Wynn Elementary School

**Related Applications**

<b>Application Number</b>	<b>Request</b>
V8-23-0704	A request to vacate and abandon patent easements is a companion item in this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

### Waiver of Development Standards #1

Code requires detached sidewalks with a landscape buffer to be provided along streets to ensure safety and aesthetic standards in neighborhoods. Staff finds that the applicant has not provided any justification to eliminate the required landscaping and sidewalk. Staff understands the site is located within the Rural Neighborhood Preservation Area; however, providing the required sidewalk and landscaping will enhance the visual appeal of the streetscape and will contribute to the safety of pedestrians, may they be residents of the area or elementary school students attending the school immediately to the east of the site. The elementary school to the east as well as the residential subdivisions farther east of the subject site provide sidewalks and street landscaping. Therefore, staff cannot support this request.

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

#### Waiver of Development Standards #2

A drainage study is necessary to identify the need for drainage easements within the new lots being created by MSM-23-600005. The issue is that without creating the drainage easement at the same time the lots are created, a future owner could be left with a disproportionate share of the burden dealing with a lot that has drainage issues; therefore, staff cannot support this waiver.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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**

- Right-of-way dedication to include 30 feet for Coley Avenue, 30 feet for Duneville Street and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

**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 #0384-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KAO FAMILY TRUST ETAL & KAO JEFFREY TRS**

**CONTACT: LAS VEGAS CIVIL ENGINEERING, 2251 N. RAMPART BLVD, STE 418,  
LAS VEGAS, NV 89128**

**DRAFT**

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**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**DR-23-0772-HD POST BUFFALO, LLC:**

**DESIGN REVIEW** for finished grade in conjunction with an approved warehouse, retail, and office complex on 1.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-34-301-020

**DESIGN REVIEW:**

Increase finished grade to 108 inches where 96 inches was previously approved (a 13% increase) where a maximum of 36 inches is the standard per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6276 S. Buffalo Drive
- Site Acreage: 1.9
- Project Type: Increase finished grade
- Number of Stories: 2
- Building Height (feet): 35.5
- Square Feet: 10,650 (Building A)/9,376 (Building B)/8,500 (Building C)
- Parking Required/Provided: 74/74

**Site Plan & Request**

A zone change was approved in December 2021 to reclassify 2 acres from an R-E zone to an M-D zone to permit a warehouse, retail, and office complex consisting of 3 buildings via ZC-21-0594. Building A, located within the western portion of the site, consists of a warehouse with incidental office uses and office/retail uses. Building B, located within the northeast portion of the site, consists of a warehouse with incidental office uses. Building C, located within the south portion of the site, includes office and retail uses. Access to the site is granted via a commercial driveway along Post Road and Buffalo Drive. An increase to finished grade was also a part of the original request, with the largest increase occurring within the central portion of the site on

the east side of Building B, where there is an existing low spot. The approval for increased finished grade was for 96 inches where 18 inches we allowed per Code. Today the maximum allowed for finished grade is 36 inches. Currently, the applicant is requesting an additional increase in finished grade to 108 inches. The plans do not show any retaining and/or screen wall.

Landscaping

No changes are proposed to the originally approved plans.

Applicant's Justification

The applicant states the request is needed to ensure that the building is set high enough above the grade on Post Road and Buffalo Drive to provide adequate flood protection. This development and the proposed design review are compatible with the surrounding area and planned development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-21-0595	Vacated a portion of right-of-way being Buffalo Drive	Approved by BCC	December 2021
ZC-21-0594	Reclassified from R-E to M-D zoning for a warehouse, retail, and office development	Approved by BCC	December 2021

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	R-2	Single family residential
South	Corridor Mixed-Use	R-E	Undeveloped
East	Business Employment	C-P	Undeveloped
West	Corridor Mixed-Use	C-2	Mixed-use development

\*The subject property and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

Application Number	Request
TM-23-500165	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

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

### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Applicant is advised that an increase in wall height requires an additional land use application; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Comply with approved drainage study PW22-11721;
- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking

#0028-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

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

**DRAFT**



PLANNER COPY

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# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>DR-23-072</u> DATE FILED: <u>11-7-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>12-12-23</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>1-3-23</u> FEE: <u>1675</u>
	<b>PROPERTY OWNER</b> NAME: <u>H D POST BUFFALO LLC</u> ADDRESS: <u>3451 W. MARTIN AVE., SUITE C</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-697-2000</u> CELL: <u>702-335-7501</u> E-MAIL: <u>sbulloch@fortedesigbuild.com</u>
	<b>APPLICANT</b> NAME: <u>Clayton L. Neilsen. P.E.</u> <u>LR Nelson Consulting Engineers</u> ADDRESS: <u>6765 W Russell Rd, Ste. 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-798-7978</u> CELL: <u>702-249-4230</u> E-MAIL: <u>clayton.neilsen@lmeng.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Clayton L. Neilsen. P.E.</u> <u>LR Nelson Consulting Engineers</u> ADDRESS: <u>6765 W Russell Rd, Ste. 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-798-7978</u> CELL: <u>702-249-4230</u> E-MAIL: <u>clayton.neilsen@lmeng.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-34-301-020

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo and Post

PROJECT DESCRIPTION: \_\_\_\_\_ " Excess fill "

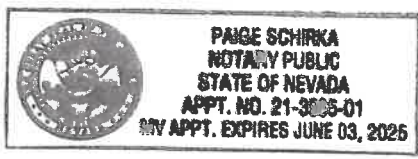
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Scott R. Bulloch      Scott R. Bulloch  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 18<sup>th</sup>, 2023 (DATE)

By Scott R. Bulloch  
 NOTARY PUBLIC: Paige Schirka



\*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.

DR-LS-0116

2612-001-211

LARRY R. NELSON, P.E.  
President

August 31, 2023

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

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

**Reference: Justification Letter for Design Review for Buffalo Post at the NEC of W. Post Road and South Buffalo Drive - APN# 163-24-301-020**

On behalf of our client, we are pleased to provide this justification letter for a Design Review for the above-mentioned project, which is located on the northeast corner of W. Post Road and S. Buffalo Drive.

We are requesting a Design Review for Fill for a Commercial Site in the M-D zoning; The project site is approximately 1.9 (gross) acres and the Assessor's Parcel Number is 163-24-301-020.

The proposed project will be developed as a Commercial Development with three (3) separate buildings. Three (3) of the buildings will be 2 stories with a maximum height of 28'.

We are requesting a Design Review for Fill as the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Post and Buffalo to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 8.68' which is an increase over the 36" of 5.68'.

*The original application ZC-21 approved it for 8.0 feet. New request is for 8.68 feet. 0594*

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

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Aimee English

NEVADA

L.R. NELSON  
CONSULTING ENGINEERS, LLC

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

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

UTAH

L.R. NELSON  
CONSULTING ENGINEERS, LLC

51 West 9000 South  
Sandy, UT 84070-2008

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

01/03/24 BCC AGENDA SHEET

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-23-500165-HD POST BUFFALO, LLC:**

**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 1.9 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District.

Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-34-301-020

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

**BACKGROUND:**  
**Project Description**

**General Summary**

- Site Address: 6276 S. Buffalo Drive
- Site Acreage: 1.9
- Project Type: Commercial subdivision
- Number of Lots/Unit: 1

A zone change was approved in December 2021 to reclassify 2 acres from an R-E zone to an M-D zone to permit a warehouse, retail, and office complex consisting of 3 buildings via ZC-21-0594. The plans depict Building A, located within the western portion of the site, consists of a warehouse with incidental office uses and office/retail uses. Building B, located within the northeast portion of the site, consists of a warehouse with incidental office uses. Building C, located within the south portion of the site, includes office and retail uses. Access to the site is granted via a commercial driveway along Post Road and Buffalo Drive.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-21-0595	Vacated a portion of right-of-way being Buffalo Drive	Approved by BCC	December 2021
ZC-21-0594	Reclassified from R-E to M-D zoning for a warehouse, retail, and office development	Approved by BCC	December 2021

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	R-2	Single family residential
South	Corridor Mixed-Use	R-E	Undeveloped
East	Business Employment	C-P	Undeveloped
West	Corridor Mixed-Use	C-2	Mixed-use development

**Related Applications**

Application Number	Request
DR-23-0772	A design review for increased finished grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

This request meets the tentative map requirements and standards for approval as outlined in Title 30.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Comprehensive Planning**

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Comply with approved drainage study PW22-11721;
- 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.

**Comprehensive Planning - Addressing**

- No comment.

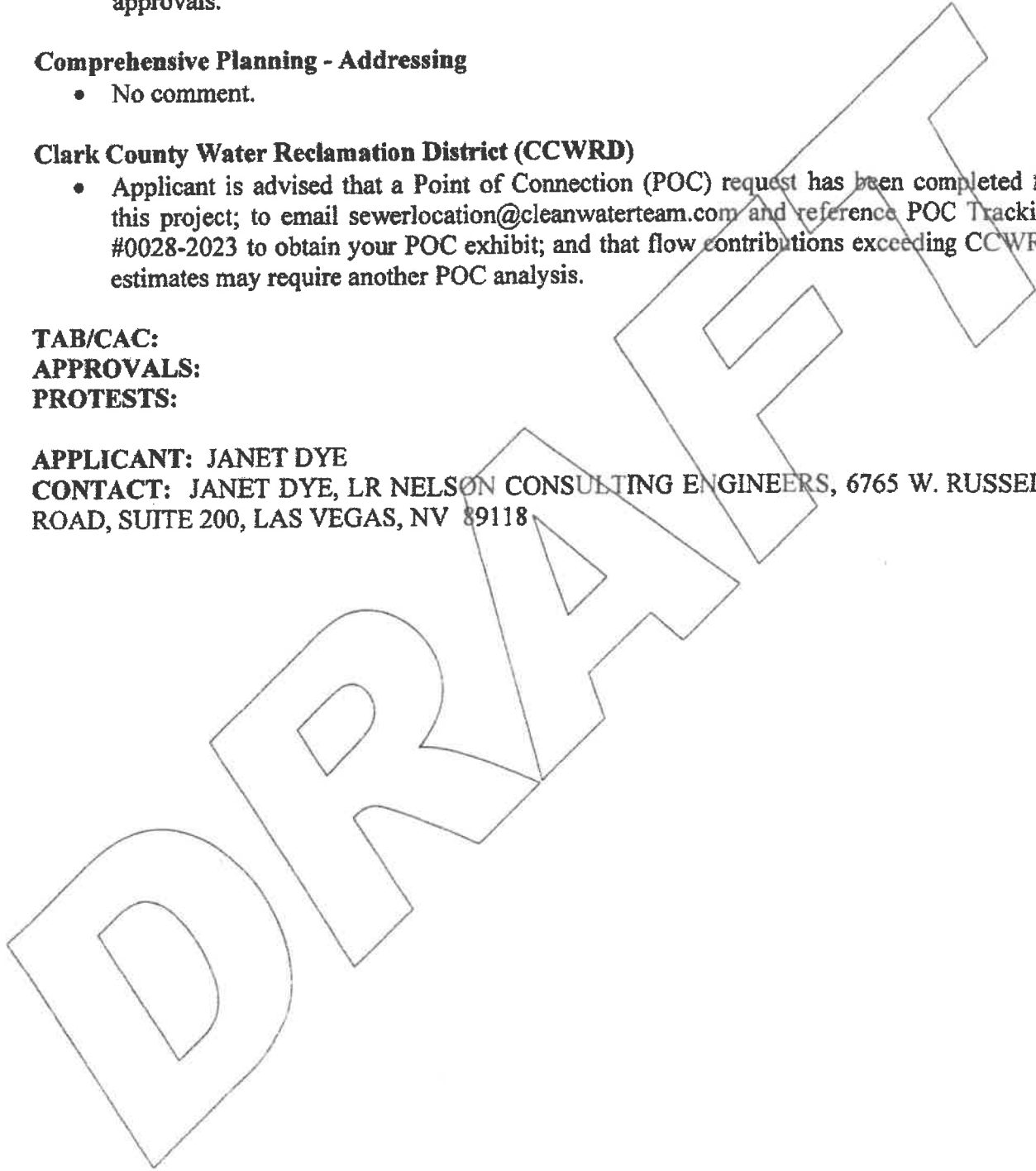
**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0028-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: JANET DYE**

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







# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNED COPY

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APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-23-500165</u>	DATE FILED: <u>11-7-23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC: <u>Spring Valley</u>
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>1-3-23</u>	
		FEE: <u>15750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>H D POST BUFFALO LLC</u>
	ADDRESS: <u>3451 W. MARTIN AVE., SUITE C</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-697-2000</u> CELL: <u>702-335-7501</u>
	E-MAIL: <u>sbulloch@fortedesignbuild.com</u>

<b>APPLICANT</b>	NAME: <u>Clayton L. Neilsen, P.E.</u>
	ADDRESS: <u>6765 W Russell Rd, Ste. 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-798-7978</u> CELL: <u>702-249-4230</u>
	E-MAIL: <u>clayton.neilsen@lrneng.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Clayton L. Neilsen, P.E.</u>
	ADDRESS: <u>6765 W Russell Rd, Ste. 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-798-7978</u> CELL: <u>702-249-4230</u>
	E-MAIL: <u>clayton.neilsen@lrneng.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-34-301-020

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo and Post

TENTATIVE MAP NAME: Buffalo and Post

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.

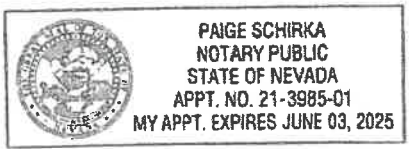
Scott R. Bulloch  
Property Owner (Signature)\*

SCOTT R. BULLOCH  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 30<sup>th</sup>, 2023 (DATE)

By Scott R. Bulloch  
NOTARY PUBLIC: Paige Schirka



\*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.

17-LS-20016

2612-001-211

LARRY R. NELSON, P.E.  
President

August 31, 2023

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

Attn: **Judith Rodriguez Guggiari**  
**Senior Planner**

**Subject: Hold Letter for the Tentative Map for Buffalo Post**

Dear Judith:

On behalf of our client, H D POST BUFFALO, LLC., we are processing a single lot, 1.92-acre commercial subdivision in southwest Clark County. As companion items, we are filing a Design Review application.

We respectfully request that the Tentative Map be held to be heard together with the companion items.

If you have any questions, please contact me.

Regards,

**L.R. Nelson Consulting Engineers**

Aimee English

NEVADA

L.R. NELSON  
CONSULTING ENGINEERS, LLC

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

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

UTAH

L.R. NELSON  
CONSULTING ENGINEERS, LLC

51 West 8000 South  
Sandy, UT 84070-2008

Phone 801 / 565-8580  
FAX 801 / 565-9340  
Email lrmengineers@lrmec.com



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01/03/24 BCC AGENDA SHEET

**PUBLIC HEARING**  
**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**ET-23-400163 (UC-21-0495)-5335 LAS VEGAS, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** 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/dd/syp (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 - CORRIDOR MIXED-USE

**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: 2,810

- Parking Required/Provided: 159/183 (entire shopping center)

### Site Plans

The approved 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.

Since the original approval, revised plans have been submitted in February of 2023 for the project resulting in minor changes to the plans. Curbs on the eastern portion of the site were to be altered to accommodate for the drive-thru exit, but with the revised plans this alteration has been withdrawn; instead, the exiting curbs on-site will remain. Additionally, the building square footage was reduced from 3,120 square feet to 2,810 square feet, the parking for the site was reduced by 1 space, and a landscaping strip was added between the northern face of the building and the parking area.

### Landscaping

A row of 8 parking spaces was 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. WC-21-400147 (ZC-1208-00) was previously approved in conjunction with UC-21-0495, which included waivers of conditions relating to street landscaping along Fort Apache Road.

The revised landscaping plan submitted depicts a landscape strip with trees and various groundcover between the parking area and the proposed building. Additionally, the landscape

finger on the northwest portion of the parking area has been removed, and the landscape area on the northern side of the parking area has been reduced to accommodate for the reconfigured drive-thru.

### 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 previously approved application WC-21-400147 (ZC-1208-00) included a request to allow building materials different from the shopping center.

### Floor Plans

The approved plans for the 3,120 square foot commercial building, now revised to 2,810 square feet, included 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.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0495:

#### Current Planning

- 2 years to commence;
- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department;
- 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; 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;

- 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.

**Applicant's Justification**

The applicant states they have not been able to move forward due to pending litigation related to the project and is, therefore, requesting an extension of time.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0495	Cannabis drive-thru retail store	Approved by BCC	November 2021
WC-21-400147 (ZC-1208-00)	Architectural materials and landscaping requirements	Approved by BCC	November 2021
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 and residential use, and condition of approval included subject to building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs)	Approved by BCC	October 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Corridor Mixed-Use	C-2	Shopping center, including a tavern & gasoline sales
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ae)	R-2	Single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that there have been no substantial changes to the surrounding area, and the property does not currently have any violations from Clark County Code Enforcement. Furthermore, the applicant has not been able to proceed due to litigation related to the previously approved project. With these factors in mind, staff can support this request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until November 3, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: ANN PIERCE**

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



# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> SPECIAL USE PERMIT (UC)  <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-21-0495 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION FOR REVIEW (AR)  (ORIGINAL APPLICATION #)  <b>TYPE OF ESTABLISHMENT:</b> <input type="checkbox"/> CONSUMPTION LOUNGE <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	<b>STAFF</b> APP. NUMBER: <u>ET-23-40063</u> DATE FILED: _____ PLANNER ASSIGNED: <u>DD</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>12/12/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>01/03/2024</u> FEE: <u>\$2,675</u>
	<b>PROPERTY OWNER</b> NAME: <u>5335 Las Vegas, LLC</u> ADDRESS: <u>415 N. Dearborn, 4th Floor</u> CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60654</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b> NAME: <u>5335 Las Vegas, LLC</u> ADDRESS: <u>415 N. Dearborn, 4th Floor</u> CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60654</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>164674</u>

NAME: <u>Keampfer Crowell - Anthony 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>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

PROPERTY ADDRESS and/or CROSS STREETS: 5355 S. Fort Apache Road (Fort Apache and Hacienda)

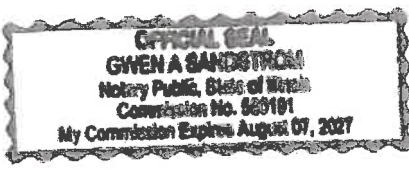
PROJECT DESCRIPTION: Extension of time for an approved cannabis retail store

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

Property Owner (Signature) George Archos      5335 Las Vegas, LLC  
 Property Owner (Print)

STATE OF Illinois  
 COUNTY OF Cook

SUBSCRIBED AND SWORN BEFORE ME ON October 16, 2023 (DATE)  
 By George Archos, CEO of 5335 Las Vegas, LLC  
 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.

ET-23-400163

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

KAMMETER

CROWELL

ANTHONY J. CELESTE  
[aceleste@kcnvlaw.com](mailto:aceleste@kcnvlaw.com)  
D: 702.693.4215

October 25, 2023

**VIA UPLOAD**

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

**Re: *Justification Letter – 5335 Las Vegas, LLC  
First Extension of Time for UC-21-0495  
APN: 163-30-718-007***

To Whom It May Concern:

Please be advised our office represents the property owner and applicant 5335 Las Vegas, LLC (the "Applicant") in the above-referenced matter. By way of background, on November 3, 2021, the Board of County Commissioners approved UC-21-0495 allowing for the development of a 3,120 square foot cannabis retail store with drive-through on property located at the southwest corner of Hacienda Avenue and Fort Apache Road, more particularly described as APN: 163-30-718-007 (the "Site"). The Site is an undeveloped pad located in a larger shopping center. The Applicant is now seeking a first extension of time for the approved cannabis retail store entitlements.

A first extension of time is appropriate as there have been no substantial changes in the area. The Site is still zoned C-2, the most intensive commercial zoning designation. The uses within the shopping center are the same as when the application was first approved which include but are not limited to a Shell Gas Station, a Green Valley Grocery convenience store, and smog check. The design of the existing shopping center remains the same with existing retail buildings providing a buffer between the Site and residential development to the west. Therefore, the cannabis retail store is compatible to the area.

In addition to the C-2 zoning remaining the same and the compatible uses in the immediate area, the updated separation survey shows the following:

- This Site is more than 1,000 feet from a school.
- The Site is more than 300 feet from a community facility<sup>1</sup>.

<sup>1</sup> The State of Nevada Cannabis Compliance Board confirmed that the existing jiu-jitsu studio, Gracie Summerlin, is not considered a community facility. See March 25, 2021 letter from the Cannabis Compliance Board enclosed herein.



- The Site is not within the Las Vegas Gaming Corridor.
- The Site is more than 1,500 feet from a non-restrictive gaming property.

The Applicant has submitted a drainage study (PW-22-18776) and traffic study (PW-22-18741) as well.

Finally, the Site is the subject of a pending appeal styled as *Gracie Summerlin, LLC, the Appellant, vs. Clark County, the Respondent, and 5335 Las Vegas, LLC, the Real Parties in Interest*, Nevada Supreme Court Case Number 86066. The Eighth Judicial District Court denied Gracie Summerlin's petition for judicial review in Case Number A-21-845277-J. It found that Grace Summerlin *does not operate a community facility*, and, therefore upheld Clark County's approval of the cannabis retail store on the Site. Gracie Summerlin has subsequently appealed the District Court's decision to the Supreme Court of Nevada where the matter is fully briefed and awaiting decision. Because of the pending litigation related to the Site, the Applicant has yet to commence work on the Site, necessitating the request for a first extension of time.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

Enclosure



**PUBLIC HEARING**  
**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**UC-23-0759-ROMANCAL, LLC:**

**USE PERMIT** for a proposed vehicle repair facility within an existing commercial building.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation from a vehicle repair facility to a residential use on a portion of 1.6 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Sahara Avenue, 200 feet east of Sorrel Street within Spring Valley. JJ/bb/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**  
163-11-103-002 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce separation from a vehicle repair facility to a residential use to 80 feet where a minimum of 200 feet is required per Table 30.44-1 (a 60% reduction).

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

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

- Site Address: 6545 W. Sahara Avenue
- Site Acreage: 1.6 (portion)
- Project Type: Vehicle repair
- Number of Stories: 1
- Building Height (feet): 16
- Square Feet: 5,800
- Parking Required/Provided: 26/48

**Site Plans**

The plans depict an existing 2 building commercial complex. The eastern building is used for vehicle repair and the western building is used for vehicle sales not related to this request. The vehicle repair facility is 80 feet from the residential use to the south. Vehicles are stored on the south side of the building. No repair work will be conducted outside the building. A total of 48 parking spaces are provided on the property where 26 parking spaces are required. An existing communication tower is located 250 feet south of Sahara Avenue at the west property line. An existing billboard sign is located 30 feet south of Sahara Avenue at the northeast corner of the property.

### Landscaping

No changes are proposed or required to the existing landscaping. No landscaping exists in the planter areas along Sahara Avenue. The landscape strip adjacent to the existing attached sidewalk on Sahara Avenue has been paved over between the existing pylon sign and west driveway. This area needs to be restored to landscape materials. Landscaping is required in these areas and are part of staff's recommendation.

### Elevations

The plans depict an existing 1 story, 16 foot high building constructed of stucco, CMU block, and aluminum storefront systems. The building has a flat roof with parapet walls.

### Floor Plans

The plans show an existing 5,800 square foot building with a total of 3,800 square feet used for vehicle sales and 2,000 square feet will be used for the proposed vehicle repair facility.

### Applicant's Justification

Xtreme Powersports, LLC is requesting to operate a vehicle repair business on C-2 zoned land that has previously been used for vehicle repair of motorcycles. The requested use shares the property with an existing vehicle sales business (Car Country Auto Sales) operating on the west side of the lot. The existing business located on the west side of the property (6555 W. Sahara Avenue) consists of a 1,750 square foot building with additional shed space of approximately 650 square feet, all of which is used for vehicle sales. As a new owner and operator of a business at this location, the facility on the east side of the property will include 2,000 square feet of space for vehicle repair and 3,800 square feet of space for vehicle sales. The total building size on the east side of the property is 5,800 square feet. A 73 foot by 91 foot yard is located immediately south of the building and is surrounded by an 8 foot high CMU block wall. The area between the walled yard and the property line to the south is an existing storage area with a shed and shade structure. The storage area is surrounded by a combination of 6 foot walls on the south and east property lines, and chain link fences on the south, east, and west property lines. A leased area with an existing communications tower is located approximately 250 feet south of Sahara Avenue at the west property line.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0090-16	Vehicle (motorcycle) repair and residential separation	Approved by PC	May 2016
ADR-0651-14	Remodel of a vehicle (motorcycle) sales facility	Approved by ZA	August 2014
ADR-0771-05	Communications tower	Approved by ZA	July 2005
WS-1785-00	Off-premises sign (billboard)	Approved by BCC	February 2001

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1639-93	Allowed an outside storage area in conjunction with a motorcycle sales and service facility	Approved by PC	October 1993
VC-168-83	Established a service and repair department in conjunction with a motorcycle dealership - expired	Approved by BCC	June 1983

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	City of Las Vegas	C-2	Vehicle sales facility
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP)	Single family residential
East	Corridor Mixed-Use & Rural Neighborhood Preservation (up to 2 du/ac)	C-2 & R-E (RNP-I)	Veterinary office, single family residential, & car wash facility
West	Corridor Mixed-Use	C-2	Tire sales & installation facility

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**  
**Comprehensive Planning**  
Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

This site has operated as a vehicle repair facility and vehicle sales facility for many years without Code violations or complaints from the neighborhood. Vehicle repair for motorcycles has taken place on the property since at least 2016 when UC-0090-16 was approved. The service bay doors do not face the street and will not create an undue adverse effect on adjacent property, traffic conditions, parking, or public improvements. The continued use of the property for vehicle sales combined with requested vehicle repair, will not impact the character of the neighborhood. Improvements are needed to the storage facility and landscaping to bring the site back to a condition similar to original operating conditions. Additional landscaping and screening will make the property a better neighbor and enhance the appearance of the property from public view. Staff can support the use permit with conditions.

### Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The buildings have existed on this property since approximately 1991. The existing separation from the vehicle repair use to the residential property lines along the east property line is approximately 80 feet. The distance to the residential homes on the south side of the property is approximately 265 feet. There are at least 2 block walls (one, 8 foot wall and one, 6 foot wall) between this use and the homes on the south side of the property. Staff is not aware of any complaints related to the vehicle repair or sales on this property. Staff can support this request.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Remove the paving from the planter area adjacent to the attached sidewalk along Sahara Avenue, between the pylon sign and west driveway;
- Complete the block wall at the southeast corner of the property;
- Restore the landscape planter areas to include ten, 5 gallon groundcover plants (less than 18 inches in height), and at least 2 small trees listed in the regional plant list that are not palm trees and approved for planting below power lines;
- Vehicle repair to be conducted indoors only;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact either the Southern Nevada Health District concerning the use of an individual disposal system, or the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: XTREME POWERSPORTS, LLC DBA BBV POWERSPORTS**

**CONTACT: MOSHE OZANA, XTREME POWERSPORTS LLC, 6545 W. SAHARA AVENUE, LAS VEGAS, NV 89146**

**DRAFT**







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNING  
COPY

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>UC-23-0759</u>      DATE FILED: <u>10-31-23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Spring Valley</u>      TAB/CAC DATE: <u>12-12-23</u></p> <p>PC MEETING DATE: <u>1-2-24</u></p> <p>BCC MEETING DATE: <u>N/A</u></p> <p>FEE: <u>\$1,150</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Roman Calceyanski</u></p> <p>ADDRESS: <u>805 Dave Hills Ct</u></p> <p>CITY: <u>Las Vegas NV</u>      STATE: <u>NV</u>      ZIP: <u>89134</u></p> <p>TELEPHONE: <u>702-271-3203</u>      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>Macho Ozawa</u></p> <p>ADDRESS: <u>6545 W Sahara Ave</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89146</u></p> <p>TELEPHONE: <u>702-891-5090</u>      CELL: <u>702-351-2006</u></p> <p>E-MAIL: <u>shiko@bbv.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Same as applicant</u></p> <p>ADDRESS: _____</p> <p>CITY: _____      STATE: _____      ZIP: _____</p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-11-103-002

PROPERTY ADDRESS and/or CROSS STREETS: 6545 West Sahara Ave LV NV 89146 Terry Pils

PROJECT DESCRIPTION: application for use permit to permit repairs

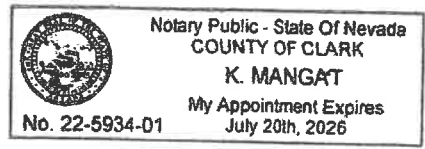
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

\_\_\_\_\_  
Property Owner (Signature)\*      Roman Calceyanski  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/2/23 (DATE)  
By Roman Michael Calceyanski

NOTARY PUBLIC: K. Mangat



\*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.



To whom it may concern.

\*Xtreme Powersports llc is an existing business in the city of las vegas .

\*We are operating under city of las vegas business license out of 2901 s. highland dr unit 3c Las vegas nv 89109.

\*We moved to 6545 west sahara ave. las vegas nv 89146.

\*We are applying for a bregulated business licence with clark county business license.

\*We are applying for a special use permit for a vehicle repair because it is a requirment for a c-2 zoning.

\*We are also applying for a waiver of development standart to waive the 200 feet separation from residential use. *reducing to 0 feet from residential use.*

\*The service bay door is not facing the street.

\*We are also applying for vehicle sales .

We meet all three conditions for vehicle sales in a c-2 zoning:

1. Maximum 5 automobiles or off-highway vehicles outside when buisness has common parking with at least 1 other buisness. However a site plan with parking analysis may be submitted to the Zoning Administrator who will determine if more automobiles or off highway vehicles may be permitted.

2. Outside display of automobiles or offhighway vehicles may be permitted.

3. Test drives Shall not be permitted on any residential local street. Any request to waive this condition Shall be accompanied by a test – driving plan with a map showing which streets are proposed to be used for the test driving.

\**There are no proposed changes to parking, landscaping or building elevations.*

In best regards,

Xtreme Powersports.

# Spring Valley Town Advisory Board 2024 Calendar

January 9th  
January 30th

February 13th  
February 27<sup>th</sup>

March 12th  
March 26th

April 9th  
April 30th

May 14th  
May 28th post Early

**June 11th** (Election Day)  
June 25th

July 9th  
July 30<sup>th</sup>

August 13th  
August 27th

September 10th  
September 24th

October 8th  
October 29th

November 12th post Early  
November 26th

December 10th  
**December 31st**

