



Whitney Town Advisory Board
Whitney Community Center
5712 Missouri Ave.
Las Vegas, NV. 89122
 December 30, 2021
 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 Maureen Helm at 702-606-0747.
 - 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/WhitneyTAB>

Board/Council Members: Christopher Fobes, Chairperson
 Greg Konkin, Vice Chairperson
 Geraldine Ramirez
 Amy Beaulieu

Secretary: Maureen Helm, 702-606-0747, mhelmtab@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, BVA@ClarkCountyNV.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for December 16, 2021. (For possible action)
- IV. Approval of the Agenda for December 30, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **WS-21-0696-LEGACY KIMBERLY, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping for an approved congregate care facility.
DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone. Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/jvm/jo (For possible action) **PC 1/18/22**
- VII. General Business
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: January 13, 2022.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Whitney Community Center 5712 Missouri Ave.
<https://notice.nv.gov>



Whitney Town Advisory Board

December 16, 2021

MINUTES

Board Members: Christopher Fobes –Chair - **PRESENT**
Greg Konkin - Vice Chair- **PRESENT**
Amy Beaulieu-**PRESENT**
Geraldine Ramirez-**PRESENT**

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

Town Liaison: Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call,(see above) County Staff Introduction

Greg Cerven; Planning, Damita Bowles; Administrative Specialist

The meeting was called to order by Fobes at 6:00 p.m.

II. Public Comment
None

III. Approval of December 2, 2021 Minutes

Moved by: Konkin
Approve as submitted
Vote: 4-0 Unanimous

IV. Approval of Agenda for December 16, 2021

Moved by: Ramirez
Approve as submitted
Vote: 4-0 Unanimous

V. Informational Items (for discussion)
None

VI. Planning and Zoning

1. **ZC-21-0632-DUCK CREEK APTS, LLC:**
ZONE CHANGES for the following: **1)** reclassify 1.6 acres from a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone; and **2)** reclassify 1.1 acres from an R-3 (Multiple Family Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce the front setback.

DESIGN REVIEWS for the following: **1)** multiple family residential development on 1.6 acres in an R-5 (Apartment Residential) Zone; **2)** multiple family residential development on 1.1 acres in an R-5 (Apartment Residential) Zone; **3)** modifications to an existing multiple family residential development on 20.2 acres in an R-3 (Multiple Family Residential) Zone; and **4)** finished grade on 2.7 acres in an R-5 (Apartment Residential) Zone. Generally located on the northeast side of Boulder Highway, 575 feet northwest of Russell Road within Whitney (description on file). JG/jt/jd (For possible action) **BCC 1/5/22**

MOVED BY: Konkin

APPROVE subject to staff conditions

VOTE: 4-0 unanimous

- VII. General Business (for possible action)
None

- VIII. Public Comment
None

- IX. Next Meeting Date
The next regular meeting will be December 30, 2021.

- X. Adjournment
The meeting was adjourned at 6:20 p.m.

01/18/22 PC AGENDA SHEET

CONGREGATE CARE FACILITY
(TITLE 30)

KIMBERLY AVE/BROADBENT BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0696-LEGACY KIMBERLY, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping for an approved congregate care facility.

DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/jvm/jo (For possible action)

RELATED INFORMATION:

APN:

161-27-510-014

WAIVER OF DEVELOPMENT STANDARDS:

Permit alternative landscaping adjacent to local streets (Kimberly Avenue and Greyhound Lane) where landscaping per Figure 30.64-13 is required.

LAND USE PLAN:

WHITNEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.8
- Project Type: Congregate care facility
- Number of Beds: 144
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 69,100
- Parking Required/Provided: 59/77

Site Plan & History

The original congregate care facility application UC-0670-16 was approved in November 2016. The first extension of time for UC-0670-16 was granted in December 2018. WS-0350-17 was

approved in June 2017 for alternative landscaping and alternative driveway geometrics but expired on June 20, 2019. As a result of the expiration of WS-0350-17, the applicant is required to submit new waiver and design review requests for significant changes to the plans approved by UC-0670-16. If the driveway is built to the 2016 approved plan, it will not require a waiver. The approved plans depict a congregate care facility consisting of 1 building located in the central portion of the parcel. Parking for the facility is located along the north, south, east, and west sides of the building. A total of 77 parking spaces are now proposed with 59 spaces required. Access to the site is provided by 2 local street driveways that were approved as a waiver request in 2016: 1 from Kimberly Avenue to the north and 1 from Greyhound Lane to the south. The revised building is set back approximately 66 feet from the east property line, 60 feet from the west property line, 101 feet from the north property line and 107 feet from the south property line. A previously approved small storage structure located on the southwest corner of the site is no longer proposed as part of this plan and will be replaced with landscaping and parking spaces.

Landscaping

The applicant is proposing to remove the landscaping adjacent to the east property line, in order to protect a gas line in that area. A 10 foot area adjacent to the west property line is proposed to be plant free due to special geotechnical engineering issues related to not watering near the existing wall. The applicant is proposing to have an 18 foot wide area with 8 feet of intense landscaping on the western side of the property. Approved landscaping will remain along Greyhound Lane and Kimberly Avenue, with the exception of a new concrete drainage facility at the northeast corner of the property. WS-0350-17 expired, and the applicant is requesting to keep the majority of previously approved landscaping for the areas adjacent to Greyhound Lane and Kimberly Avenue. The Greyhound Lane landscaping is enhanced without the presence of the previously approved accessory buildings, that are no longer being proposed.

Elevations

The elevations depict an angular prefabricated concrete wall building with stucco siding and flat roofs. An aluminum storefront entrance with glazed glass windows, and ground to top cultured stone paneling is located on the east side of the building. The previously approved façade had a residential appearance with cement plaster siding, clay tile pitched roof (hip style) with peaks. The previously approved design did have a maximum peak height of 33 feet at one area. The majority of the roof was at 22 feet in height.

Floor Plans

The revised building is constructed around 4 light access corridors and 2 active use courtyard areas. The previously approved plan from 2016 included 4 active use courtyards that included landscaping, paver walkways, seating, and sod areas. The proposed linear corridor areas will provide light but are not shown with any landscaping other than small rock groundcover. The 2 proposed active courtyard areas will include landscaping, seating, and sidewalks.

Signage

Signage is not a part of this request.

Applicant's Justification

The proposed project is a 144 bed congregate care, state licensed, skilled nursing facility with a floor area of 69,100 square feet, in a single story configuration. The project was previously approved by UC-0670-16, with additional extensions of time to keep the request active. The general layout, access, and orientation of the building remains similar to the originally approved plan. The proposed changes include architecture and façade design elements, adding 1 additional bedroom (143 to 144), and decreasing the floor area by 2,575 square feet. A generator will be moved from the southwest corner of the lot to the west central part of the lot. The width of the landscape buffer on the west side of the property will be increased from 10 feet to 18 feet with a 10 foot area to include only groundcover and not watered plants, due to a recommendation in the geotechnical report. The remaining 8 feet will have intense landscaping with trees and shrubs to meet the buffer requirements. The loading zone will be provided on the west side of the building. Parking will be adjusted on the property while keeping more than enough spaces to meet code requirements. An exterior memory care courtyard will be located on the northwest corner of the property with matching block walls limiting access. Non-required landscaping will be removed from the east property line to accommodate an existing gas line limitations. Removal of landscaping within 10 feet of existing walls is required to comply with geotechnical concerns and to avoid expansive soils issues.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400233 (UC-0670-16)	First extension of time for congregate care facility	Approved by PC	December 2018
WS-0350-17	Waived standards for landscaping and driveway geometrics and a design review for modifications for approved congregate care facility - expired	Approved by PC	June 2017
UC-0670-16	Congregate care facility	Approved by PC	November 2016
TM-0144-14	39 single family residential lots - expired	Approved by PC	October 2014
WS-0704-14	Increased block wall height and a waiver of conditions for the original nonconforming zone boundary amendment - expired	Approved by PC	October 2014
TM-0238-13	41 single family residential lots - expired	Approved by PC	February 2014
NZC-0196-13	Amended R-2 zoning for a single family residential development - expired	Approved by BCC	July 2013
TM-0456-05	48 lot single family residential planned unit development (PUD) - expired	Approved by PC	September 2005
NZC-1447-04	Reclassified the property from M-D to RUD zoning with a use permit to establish a single family PUD - expired	Approved by BCC	December 2004
ZC-1602-98	Reclassified the site from R-E to M-D zoning for an office/warehouse complex	Approved by BCC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Medium (3 to 14 du/ac)	RUD & R-E	Undeveloped
South & West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
East	Commercial General	C-2	Retail center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative. Clark County Master Plan Countywide Policy 1.1.5: Housing for Vulnerable Populations, provides for expansion of housing options for vulnerable populations, including the elderly. The proposed landscaping along the south and north property lines will be consistent with the previously approved landscape plan and will not be detrimental to the surrounding area. The removal of the previously approved accessory structures along the south property line will provide more area of landscaping and enhance the previously approved plan. The granting of the waiver is in harmony with the general purpose, goals, and policy of the master plan; therefore, staff recommends approval of the proposed landscape waiver.

Design Review

The proposed changes to the approved 2016 architecture, roof type, and façade treatments are significantly different and not compatible with the surrounding area, are unsightly, and not harmonious with the residential character of the adjacent residential neighborhood. The proposed architecture and design are more appropriate for employment uses that do not involve full time on-site living. The Master Plan, Policy 6.2.1: Context-sensitive design, and Policy 6.2.3: Neighborhood Transitions, ensures the character, design, and intensity of new development is compatible with established neighborhoods and uses. The Economic Development Strategic Plan, Broad Goal #5 promotes community-centered design of the built environment. The proposed design change does not promote a compatible community-centered design and is not compatible with the adjacent residential development in the area; therefore, staff cannot support the proposed design.

Staff Recommendation

Approval of the waiver of development standards; denial of the design review.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 10 additional feet for Kimberly Avenue, 10 additional feet for Greyhound Lane and associated spandrels.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LEGACY KIMBERLY, LLC

CONTACT: COREY WISSENBACK, PSWC ARCHITECTS, 1930 VILLAGE CENTER CIR., #3-475, LAS VEGAS, NV 89134



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS/DR-21-0696</u> DATE FILED: <u>11-23-2021</u> PLANNER ASSIGNED: <u>BOR</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>12-30-2021</u> PC MEETING DATE: <u>1-18-2022 7p.m.</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>LEGACY KIMBERLY L L C</u> ADDRESS: <u>6877 S. Eastern Las Vegas, NV 89119</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>1 (725) 696 - 7777</u> CELL: _____ E-MAIL: <u>"Lixin Azarmehr" <lixin.azar@hotmail.com></u>
	APPLICANT NAME: <u>LEGACY KIMBERLY L L C</u> ADDRESS: <u>6877 S. Eastern Las Vegas, NV 89119</u> CITY: <u>Las Vegas</u> STATE: <u>Nv</u> ZIP: <u>89119</u> TELEPHONE: <u>1 (725) 696-7777</u> CELL: _____ E-MAIL: <u>l.azar@JLred.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Corey Wissenback</u> ADDRESS: <u>1930 Village Center Cir. #3-475</u> CITY: <u>Las Vegas</u> STATE: <u>Nv</u> ZIP: <u>89134</u> TELEPHONE: <u>702-374-4512</u> CELL: <u>702-374-4512</u> E-MAIL: <u>corey@pswarchitects.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16127510014

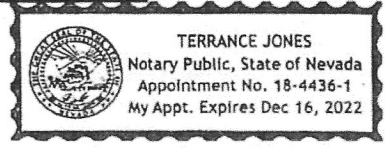
PROPERTY ADDRESS and/or CROSS STREETS: SW Corner of Kimberly Ave. & Broadbent Blvd.

PROJECT DESCRIPTION: Skilled Nursing Facility

(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.

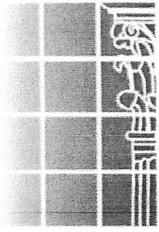
 Property Owner (Signature)* Lixin Azarmehr
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 6th, 2021 (DATE)
 By Lixin Azarmehr
 NOTARY PUBLIC: _____



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

APR-21-100997 (Lien?)



PSWC Architects

ARCHITECTURE
PLANNING
INTERIOR DESIGN

August 31, 2021

CLARK COUNTY COMPREHENSIVE PLANNING
500 S. GRAND CENTRAL PARKWAY
PO BOX 551744
Las Vegas, NV 89155-1744

PLANNER
COPY

Subject: JUSTIFICATION LETTER – DESIGN REVIEW
PROPOSED NEW 144 BED CONGREGATE CARE (STATE LICENSED
SKILLED NURSING) FACILITY. LOCATED ON THE SOUTHWEST
CORNER OF BROADBENT BLVD. & KIMBERLY AVE.
ASSESSOR'S PARCEL NUMBER: 161-27-510-014

To whom it may concern:

The proposed project is a new 144-bed congregate care/ state licensed skilled nursing facility with a floor area of approximately 69,100 SF in a single-story configuration.

The project is currently approved under a use permit for congregate care (UC-0670-16, ET-20-400151 Legacy Kimberly, LLC). No change in use from congregate care is requested. The general layout and orientation of the building and site remains the same as approved with the following revisions since prior approval:

- Exterior Architectural enhancements to better match the architecture style of Southern Nevada and provide a slightly more modern look that still complements the surrounding developments. We feel this look will enhance not only the facility but also the entire neighborhood.
- Increase the overall building footprint from 65,446 s.f. to 69,100 s.f.
- Increase the bed count from 143 beds to 144 beds based on the symmetrical nature of the resident wing layout.
- Move the generator from the southwest corner to the mid-west area of the site, closer to the service entry of the building.

1930 VILLAGE CENTER CIR.

#3-475

LAS VEGAS, NV. 89134

TEL : (702) 259-0011

FAX : (702) 259-6380

PLANNER
COPY

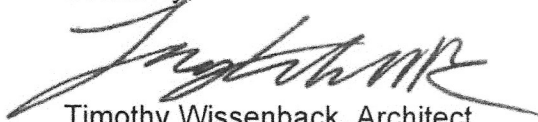
- Increase the landscape buffer on the west side of the site, between this use and the adjacent residential use from 10' to approximately 18'-0" creating a more intense buffer and separation between uses.
- Provide the Title 30 required loading zone at the west, service side and private resident entrance and exit of the building.
- Reduce parking on the west side of the site reducing the total number of spaces from 83 to 77. Title 30 only requires 59 spaces therefore the site is still adequately parked.
- Provide additional building emergency exits at the north and south sides of the building to enhance life safety.
- Provide an exterior memory care courtyard on the northwest side of the building. The walls are intended to be 6' high concrete block walls matching all other site walls.
- Remove planting from within 10' of structures including walls. This is required by the geotechnical report to deal with the expansive soil. The areas where planting is permitted, it has been enhanced to provide a beautiful site view from adjacent properties.
- Remove trees from east landscape buffer. This area is a Southwest gas easement that does not allow tree planting in easement. Where permitted, shrubs have been provided.

Based on the previous design and this revised design the following waivers of development standard will be required:

1. Permit a congregate care facility to be adjacent to and accessed from local streets (previously approved). Accessed from Kimberly Avenue and Greyhound Avenue.

It is our view that this project including the above revisions will greatly serve the Las Vegas Valley and Clark County area for many years to come. We respectfully request approval of this project.

Sincerely,



Timothy Wissenback, Architect