

IV. Approval of Agenda for December 12, 2018 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)
 - Desert Diamonds Baseball Complex Dedication at 11:30 am on December 22, 2018 at Mountains Edge Regional Park, 8101 Mountains Edge Parkway.
 - Clark County Water Reclamation District is Proposing changes to its Services Rules related to sewer use, access and charges. The rates and charges impact capital improvements that currently include 62 projects representing a \$1.4 billion investment over the coming 15 years. Comments accepted on-line at rates@cleanwaterteam.com until December 14, 2018. Board of trustees public hearing at 10:00 a.m. on December 18, 2018 in Commission Chambers at 500 South Grand Central Parkway, Las Vegas, Nevada.

VI. Planning & Zoning

1. **TM-18-500167-YI, SAM HEE:**
HOLDOVER TENTATIVE MAP consisting of 23 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action) 12/05/18 BCC
2. **TM-18-500168-ORENGIL, KIVANC:**
HOLDOVER TENTATIVE MAP consisting of 75 single family residential lots and common lots on 12.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action) 12/05/18 BCC
3. **VS-18-0696-YI, SAM HEE:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Levi Avenue and Cactus Avenue, and between Durango Drive (alignment) and Rich Sands Street (alignment) within Enterprise (description on file). SB/al/ja (For possible action) 12/05/18 BCC
4. **WS-18-0697-YI, SAM HEE:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) increase finished grade for lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action) 12/05/18 BCC

BOARD OF COUNTY COMMISSIONERS
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YOLANDA KING, County Manager

5. **WS-18-0698-ORENGIL, KIVANC:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) increase finished grade on 12.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action) 12/05/18 BCC
6. **ZC-18-0621-VACCARO, LOUIS & LINDA REV TRS:**
AMENDED HOLDOVER ZONE CHANGE to reclassify 2.4 acres from H-2 (General Highway Frontage) Zone to C-1 (Local Business) Zone (previously notified as C-2 (General Commercial) Zone) in the MUD-3 Overlay District.
USE PERMITS for the following: 1) reduced separation from a convenience store to a residential use; 2) reduced separation from a gasoline station to a residential use; 3) reduced separation from a vehicle wash to a residential use (no longer needed); 4) allow a convenience store (previously not notified); 5) allow a gasoline station (previously not notified); and 6) allow alcohol sales, liquor – packaged only not in conjunction with a grocery store (previously not notified).
DESIGN REVIEWS for the following: 1) proposed convenience store; 2) proposed gasoline station; 3) proposed vehicle wash (no longer needed); 4) proposed retail building; and 5) proposed restaurant with a drive-thru (no longer needed). Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise (description on file). SB/pb/ja (For possible action) 12/05/18 BCC
7. **UC-18-0754-CHURCH DEBRE BISLAT ST GABRIEL ETHIOPIAN O T:**
USE PERMITS for the following: 1) place of worship; and 2) increase the height of an ornamental spire and dome.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified street standards; and 2) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) place of worship; and 2) increase finished grade on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Lindell Road and the south side of Mistral Avenue (alignment) within Enterprise. SB/md/ja (For possible action) 12/19/18 BCC
8. **VS-18-0755-CHURCH DEBRE BISLAT ST GABRIEL ETHIOPIAN O T ET AL:**
VACATE AND ABANDON easements of interest to Clark County located between Westwind Road (alignment) and Lindell Road (alignment), and between Shelbourne Avenue (alignment) and Windmill Lane (alignment) and a portion of a right-of-way being Mistral Avenue located between Westwind Road (alignment) and Lindell Road (alignment), and a portion of right-of-way being Lindell Road, located between Mistral Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). SB/md/ja (For possible action) 12/19/18 BCC
9. **WS-18-0823-LEGACY TRADITIONAL SCHOOLS-NEVADA INC.:**
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a proposed animated sign (electronic message unit/video graphics) in conjunction with a monument sign; and 2) increased wall height (previously not notified).
DESIGN REVIEWS for the following: 1) proposed site lighting; 2) proposed signage; and 3) proposed wall (previously not notified) in conjunction with an approved school on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Wigwam Avenue and Montessori Street (alignment) within Enterprise. SB/pb/ja (For possible action) 12/19/18 BCC

10. **ET-18-400243 (UC-0691-16)–CARL, ROBERT SCOTT LIVING TR 2006 & CARL, ROBERT SCOTT TRS:**
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) increase the area of a proposed accessory structure; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive applicable design standards in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Belcastro Street and the north side of Torino Avenue within Enterprise. (description on file). SB/tk/ja (For possible action) 01/08/19 PC
11. **NZC-18-0888-KARABACHEV FAMILY TRUST & KARABACHEV, JANE A. TRS:**
ZONE CHANGE to reclassify 1.9 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce driveway approach distances from the intersection; and 2) full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Meranto Avenue.
DESIGN REVIEW for a proposed retail center. Generally located on the west side of Rainbow Boulevard and north side of Meranto Avenue within Enterprise (description on file). SB/rk/ja (For possible action) 01/08/19 PC
12. **NZC-18-0915-RAINBOW & BLUE DIAMOND SOUTHEAST:**
ZONE CHANGE to reclassify 8.1 acres from R-E (Rural Estates Residential) Zone and H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone in the MUD-3 Overlay District.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway design standards; and 2) reduced driveway separation.
DESIGN REVIEW for a shopping center. Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise (description on file). SB/pb/ja (For possible action) 01/08/19 PC
13. **UC-18-0900-P8 WS TUSCAN HIGHLANDS, LLC:**
USE PERMIT to increase freestanding sign height.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a roof sign; 2) increase sign area for freestanding signs; and 3) increase the number of freestanding signs.
DESIGN REVIEW for a comprehensive sign plan for an approved multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone. Generally located on the east side of Southern Highlands Parkway and the south side of St Rose Parkway within Enterprise. SB/rk/ja (For possible action) 01/08/19 PC
14. **UC-18-0907-TEACHERS APPLE PRE-SCHOOL INC:**
USE PERMITS for the following: 1) allow a home occupation to be conducted outside; 2) allow more than 1 student at a time for a proposed home occupation (dog training); 3) allow an employee other than family members; and 4) allow an existing accessory structure (storage container) not architecturally compatible with the principal dwelling in conjunction with an existing single family residence on 1.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Windmill Lane and the east side of Gilespe Street within Enterprise. SS/rk/ja (For possible action) 01/08/19 PC
15. **UC-18-0910-BLUE DIAMOND M-E, LLC & ALBERTSON'S, LLC LEASE:**
USE PERMITS for the following: 1) supper club; and 2) outside dining in conjunction with an existing restaurant on a portion of a 32.1 acre shopping center in a C-2 (General Commercial) Zone and P-C (Planned Community Overlay District) Zone in the Mountain's Edge Master Planned Community. Generally located on the south side

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of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. SB/rk/ja (For possible action) 01/08/19 PC

16. **VS-18-0889-TIDD, DAVID ALAN & BARBARA JO:**
VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Cameron Street and Rogers Street (alignment) within Enterprise description on file). SS/tk/ja (For possible action) 01/08/19 PC
17. **WS-18-0878-CENTURY COMMUNITIES OF NEVADA, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards for a residential lot; and 2) increase wall height.
DESIGN REVIEW for building orientation of 1 proposed single family residence in conjunction with a previously approved single family residential development on 0.2 acres in an R-2 (Medium Density Residential) Zone in the MUD-3 Overlay District. Generally located on the south side of Concepcion Court, 210 feet east of Pizzo Ferrato Street within Enterprise. SB/gc/ja (For possible action) 01/08/19 PC
18. **WS-18-0880-J G FAMILY TRUST & GOLSHAN, JOSEPH TRS:**
WAIVER OF DEVELOPMENT STANDARDS for alternative residential driveway geometrics for lots within an approved single family residential development on 2.6 acres in an R-3 (Multiple Family Residential) Zone within the MUD-1 Overlay District. Generally located on the south side of Desert Palm Drive and the west side of Haven Street within Enterprise (description on file). SS/pb/ja (For possible action) 01/08/19 PC
19. **WS-18-0883-HICKMAN, JAMES JAY JR & LINDA MARIE LIVING TRUST, ET AL:**
WAIVER OF DEVELOPMENT STANDARDS to reduce rear setback for a patio cover in conjunction with an existing single family residence on 0.3 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the south side of Star Diamond Court and 86 feet west of La Cienega Street within Enterprise. SS/jor/ja (For possible action) 01/08/19 PC
20. **ET-18-400247 (NZC-0578-15)-KB HOME LV CUMBERLAND RANCH, LLC:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 12.5 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone in the MUD-3 Overlay District.
DESIGN REVIEW for a proposed single family residential development. Generally located on the west side of Fort Apache Road and the north side of Gomer Road within Enterprise (description on file). SB/tk/ja (For possible action) 01/09/19 BCC
21. **TM-18-500216-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST:**
TENTATIVE MAP consisting of 41 single family residential lots and common lots on 5.1 acres in an R-3 (Multiple Family Residential) Zone in the MUD-4 Overlay District. Generally located 150 feet north of Blue Diamond Road, 1,000 feet west of Durango Drive within Enterprise. SB/gc/ja (For possible action) 01/09/19 BCC
22. **UC-18-0885-32 ACRES, LLC:**
USE PERMITS for the following: 1) reduce the setback of a gasoline station from a residential use; and 2) allow a service bay door for a vehicle (automobile) wash to face a street.
DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station; and 3) vehicle (automobile) wash in conjunction with an approved commercial center on a portion of 4.4 acres in a C-2 (General

Commercial) Zone in the MUD-1 and MUD-4 Overlay Districts. Generally located on the northeast corner of Las Vegas Boulevard South and Starr Avenue within Enterprise. SS/gc/ja (For possible action) 01/09/19 BCC

23. **VS-18-0898-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST, ET AL:**
VACATE AND ABANDON easements of interest to Clark County located between Agate Avenue and Blue Diamond Road, and between Durango Drive and El Capitan Way within Enterprise (description on file). SB/gc/ja (For possible action) 01/09/19 BCC
24. **WS-18-0896-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce open space; 2) establish alternative yards for residential lots; and 3) increase wall height.
DESIGN REVIEWS for the following: 1) a single family residential development; 2) building orientation of 2 proposed single family residences; and 3) increased finished grade on 5.1 acres in an R-3 (Multiple Family Residential) Zone in the MUD-4 Overlay District. Generally located 150 feet north of Blue Diamond Road, 1,000 feet west of Durango Drive within Enterprise. SB/gc/ja (For possible action) 01/09/19 BCC
25. **ZC-18-0881-LV CACTUS SCHIRLLS, LLC:**
ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.
WAIVER OF DEVELOPMENT STANDARDS for modified street standards.
DESIGN REVIEW for a commercial center. Generally located on the northwest corner of Cactus Avenue and Schirlls Street (alignment) within Enterprise (description on file). SB/gc/ja (For possible action) 01/09/19 BCC

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's/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 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.

IX. Next Meeting Date: January 2, 2019

X. Adjournment

POSTING LOCATIONS:

Windmill Library -7060 W. Windmill Lane
Einstein Bros Bagels- 3837 Blue Diamond Rd.
Enterprise Library- 25 E. Shelbourne Ave.
Whole Foods Market- 6689 Las Vegas Blvd
<https://notice.nv.gov/>

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YOLANDA KING, County Manager

12/05/18 BCC AGENDA SHEET

DURANGO AND CACTUS NORTH
(TITLE 30)

DURANGO DR/CACTUS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-18-500167-YI, SAM HEE:

HOLDOVER TENTATIVE MAP consisting of 23 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-32-501-002

LAND USE PLAN:
ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 23 residential/3 common
- Density (du/ac): 4.6
- Minimum/Maximum Lot Size: 4,050 square feet/6,226 square feet
- Project Type: Single family residential development

The plans depict a proposed single family residential development consisting of 23 lots on 5 acres with a density of 4.6 dwelling units per acre. The plans depict the lots taking access from a minimum 48 foot wide public street with access to the development from Durango Drive, which is along the eastern boundary of the site. The proposed street terminates in off-set cul-de-sacs on the north and south ends. The proposed street has a 38 foot wide drivable surface and a 5 foot wide sidewalk along both sides of the street.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project & Public Facilities	R-2 & P-F	Single family residential development & Mountain's Edge Regional Park
South	Open Land	R-E	Undeveloped parcels

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Open Land	R-E & R-2	Undeveloped parcels & a single family residential development
West	Open Land & Public Facilities	R-E & P-F	Undeveloped parcels & water reservoir facility

Related Applications

Application Number	Request
NZC-18-0517	A nonconforming zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-18-0696	A request to vacate easements is a companion item on this agenda.
WS-18-0697	A waiver of development standards to increase wall height with a design review to increase finished grade is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30. Approval of this application is contingent upon approval of NZC-18-0517.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

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

- Right-of-way dedication to include 45 feet to the back of curb for Durango Drive, 50 feet to the back of curb for Cactus Avenue, and the associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Oval Agate shall have an approved suffix.

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 #0478-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 11/20/18 – per the applicant.

COUNTY COMMISSION ACTION: ~~November 20, 2018~~ – HELD – To 12/05/18 – per the applicant.

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE, SUITE 17, LAS VEGAS, NV 89106

DURANGO AND CACTUS SOUTH
(TITLE 30)

DURANGO DR/ERIE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-18-500168-ORENGIL, KIVANC:

HOLDOVER TENTATIVE MAP consisting of 75 single family residential lots and common lots on 12.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-32-601-001 through 176-32-601-005

LAND USE PLAN:
ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12.6
- Number of Lots: 75 residential/7 common elements
- Density (du/ac): 6.0
- Minimum/Maximum Lot Size: 4,004 square feet/7,041 square feet
- Project Type: Single family residential development

The plans depict a proposed single family residential development consisting of 75 lots on 12.6 acres with a density of 6.0 dwelling units per acre. The plans depict the lots taking access from minimum 48 foot wide public streets with access to the development from Durango Drive, which is along the eastern boundary of the site. The proposed streets within the development have a 38 foot wide drivable surface and a 5 foot wide sidewalk along both sides of the street.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project, Public Facilities & Open Land	R-E, R-2 & P-F	Undeveloped parcels, single family residences, water reservoir facility & Mountain's Edge Regional Park
South	Open Land	R-E	Undeveloped parcels
East	Open Land	R-E	Undeveloped parcels

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Open Land	R-E	Undeveloped parcels & single family residences

Related Applications

Application Number	Request
NZC-18-0560	A nonconforming zone change to reclassify the site to an R-2 zone is a companion item on this agenda.
VS-18-0558	A request to vacate rights-of-way is a companion item on this agenda.
WS-18-0698	A waiver of development standards to increase wall heights with a design review to increase finished grade is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30. Approval is contingent upon approval of NZC-18-0560.

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 Comprehensive Master Plan, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

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

- Right-of-way dedication to include 35 feet to the back of curb for Erie Avenue and the associated spandrel;
- Applicant to apply for right-of-way grants for 100 feet for Durango Drive from Erie Avenue to Cactus Avenue, for 40 feet for Erie Avenue from Durango Drive to the western boundary of the subject site, and for 30 feet for Levi Avenue from Durango Drive to the western boundary of the subject 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way or dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control of execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Street shown as Iris Agate shall have the suffix of Court.

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 #0479-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 11/20/18 – per the applicant.

COUNTY COMMISSION ACTION: November 20, 2018 – HELD – To 12/05/18 – per the applicant.

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE, SUITE 17, LAS VEGAS, NV 89106

12/05/18 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

CACTUS AVE/DURANGO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-18-0696-YI, SAM HEE:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Levi Avenue and Cactus Avenue, and between Durango Drive (alignment) and Rich Sands Street (alignment) within Enterprise (description on file). SB/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-32-501-002

LAND USE PLAN:
ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:

Project Description

The applicant proposes to develop the site as a single family residential development and is requesting to vacate government patent easements located along the west and south sides of the parcel. The applicant indicates that these easements are not necessary for development in this area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project & Public Facilities	R-2 & P-F	Single family residential development & Mountain's Edge Regional Park
South	Open Land	R-E	Undeveloped parcels
East	Open Land	R-E & R-2	Undeveloped parcels & a single family residential development
West	Open Land & Public Facilities	R-E & P-F	Undeveloped parcels & water reservoir facility

Related Applications

Application Number	Request
NZC-18-0517	A nonconforming zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.

Related Applications

Application Number	Request
TM-18-500167	A tentative map for a single family residential development is a companion item on this agenda.
WS-18-0697	A waiver of development standards to increase wall height with a design review to increase finished grade 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 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements
- Applicant is advised that 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 45 feet to the back of curb for Durango Drive, 50 feet to the back of curb for Cactus Avenue, and the associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

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

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 11/20/18 – per the applicant.

COUNTY COMMISSION ACTION: November 20, 2018 – HELD – To 12/05/18 – per the applicant.

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE, SUITE 17, LAS VEGAS, NV 89106

DRAFT

12/05/18 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

CACTUS AVE/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0697-YI, SAM HEE:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) increase finished grade for lots on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-32-501-002

WAIVER OF DEVELOPMENT STANDARDS:
Increase wall height to a maximum of 12 feet (6 foot screen wall with a maximum 6 foot retaining wall) where a 9 foot high wall (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).

DESIGN REVIEWS:

1. A single family residential development.
2. Increase finished grade up to 72 inches (6 feet) where 18 inches (1.5 feet) is the standard per Section 30.32.030 (a 300% increase).

LAND USE PLAN:
ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 23 residential/3 common
- Density (du/ac): 4.6
- Minimum/Maximum Lot Size: 4,050 square feet/6,226 square feet
- Project Type: Single family residential development
- Number of Stories: 2

- Building Height: 27 feet
- Square Feet: 2,472 to 2,704

Site Plans

The plans depict a proposed single family residential development consisting of 23 lots on 5 acres with a density of 4.6 dwelling units per acre. The plans depict the lots taking access from a minimum 48 foot wide public street with access to the development from Durango Drive, which is along the eastern boundary of the site. The proposed street terminates in off-set cul-de-sacs on the north and south ends. The proposed street has a 38 foot wide drivable surface and a 5 foot wide sidewalk along both sides of the street. The plans depict 6 foot high screen walls with retaining walls between 2.5 feet and 6 feet in height along the perimeter of the proposed subdivision.

Landscaping

The plans depict a 15 foot wide landscape area with a detached sidewalk adjacent to Cactus Avenue, Durango Drive, and the entrance to the proposed development. The plant material within these landscape areas consists of trees, shrubs, and groundcover.

Elevations

The plans depict 2 residential models, which are both 2 story homes with a maximum height of approximately 27 feet. All of the residences have pitched roofs with concrete tile roofing material. The exterior of the residences consist of combinations of stucco finish painted in earth tone colors, stone veneer, and window fenestrations.

Floor Plans

The plans depict residences that are between to 2,472 square feet to 2,704 square feet in area. Each residence has a 2 car garage and options for 3 to 4 bedrooms.

Applicant's Justification

The applicant indicates that there are existing washes that run through the site. In order to provide proper drainage the existing topography of the site needs to be modified and building pad sites for the future homes will have to be increased above 18 inches for portions of the site. In order to stabilize the additional fill, retaining walls on portions of the site will have to be increased in height.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project & Public Facilities	R-2 & P-F	Single family residential development & Mountain's Edge Regional Park
South	Open Land	R-E	Undeveloped parcels
East	Open Land	R-E & R-2	Undeveloped parcels & a single family residential development
West	Open Land & Public Facilities	R-E & P-F	Undeveloped parcels & water reservoir facility

Related Applications

Application Number	Request
NZC-18-0517	A nonconforming zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-18-0696	A request to vacate easements is a companion item on this agenda.
TM-18-500167	A tentative map for a single family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

The existing topography of the site constitutes a hardship or unique circumstance to warrant approval of the waiver of development standards. Similar waivers of development standards have been approved on other developments along Cactus Avenue; therefore, staff can support the waiver of development standards.

Design Review #1

The design of the homes comply with the requirements of Title 30 and are consistent and compatible with the architectural style of existing single family residences in the area. The design of the subdivision is consistent with existing development on the abutting properties.

Public Works - Development Review

Design Review #2

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

Staff Recommendation

Approval is contingent upon approval of NZC-18-0517.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a) 9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Durango Drive, 50 feet to the back of curb for Cactus Avenue, and the associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0478-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAG:

APPROVALS:

PROTESTS:

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 11/20/18 – per the applicant.

COUNTY COMMISSION ACTION: November 20, 2018 – HELD – To 12/05/18 – per the applicant.

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE, SUITE 17, LAS VEGAS, NV 89106

DRAFT

12/05/18 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

DURANGO DR/ERIE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-0698-ORENGIL, KIVANC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) increase finished grade on 12.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action)

RELATED INFORMATION:

APN:
176-32-601-001 through 176-32-601-005

WAIVER OF DEVELOPMENT STANDARDS:
Increase wall height to a maximum of 12 feet (6 foot screen wall with a maximum 6 foot retaining wall) where a 9 foot high wall (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).

DESIGN REVIEWS:
1. A single family residential development.
2. Increase finished grade up to 72 inches (6 feet) where 18 inches (1.5 feet) is the standard per Section 30.32.030 (a 300% increase).

LAND USE PLAN:
ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 12.6
- Number of Lots: 75 residential/7 common elements
- Density (du/ac): 6.0
- Minimum/Maximum Lot Size: 4,004 square feet/7,041 square feet
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height: 27 feet

- Square Feet: 2,472 to 2,704

Site Plans

The plans depict a proposed single family residential development consisting of 75 lots on 12.6 acres with a density of 6.0 dwelling units per acre. The plans depict the lots taking access from minimum 48 foot wide public streets with access to the development from Durango Drive, which is along the eastern boundary of the site. The proposed streets within the development have a 38 foot wide drivable surface and a 5 foot wide sidewalk along both sides of the street. The plans depict 6 foot high screen walls with retaining walls between 2.5 feet and 6 feet in height along the perimeter of the site.

Landscaping

The plans depict a 15 foot wide landscape area with a detached sidewalk adjacent to Durango Drive and Erie Avenue. The plans depict an attached sidewalks along Levi Avenue with 6 foot wide landscape areas adjacent to the streets. Additional landscape areas are provided along the entrance to the development. The plant material within these landscape areas consists of trees, shrubs, and groundcover.

Elevations

The plans depict 2 residential models, which are both 2 story homes with a maximum height of approximately 27 feet. All of the residences have pitched roofs with concrete tile roofing material. The exterior of the residences consist of combinations of stucco finish painted in earth tone colors, stone veneer, and window fenestrations.

Floor Plans

The plans depict residences that are between to 2,472 square feet to 2,704 square feet in area. Each residence has a 2 car garage and options for 3 to 4 bedrooms.

Applicant's Justification

The applicant indicates that there are existing washes that run through the site. In order to provide proper drainage the existing topography of the site needs to be modified and building pad sites for the futures home will have to be increased above 18 inches for portions of the site. In order to stabilize the additional fill, retaining walls on portions of the site will have to be increased in height.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project, Public Facilities & Open Land	R-E, R-2 & P-F	Undeveloped parcels, single family residences, water reservoir facility & Mountain's Edge Regional Park
South	Open Land	R-E	Undeveloped parcels
East	Open Land	R-E	Undeveloped parcels
West	Open Land	R-E	Undeveloped parcels & single family residences

Related Applications

Application Number	Request
NZC-18-0560	A nonconforming zone change to reclassify the site to an R-2 zone is a companion item on this agenda.
VS-18-0558	A request to vacate rights-of-way is a companion item on this agenda.
TM-18-500168	A tentative map for a single family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

The existing topography of the site is a unique circumstance to justify the waiver to increase wall heights. However, the approval of this request is contingent upon the approval of NZC-18-0560, which staff does not support. This site is in a location that is designated as Open Land in the Enterprise Land Use Plan. The site is surrounded by public land and this request is located farther into a rural area where this type of development is premature. If approved, the increase in the retaining wall heights and finished grades will establish the standards for future developments in this area. Ideally, development in this Open Land area should begin along the perimeter and progress to the interior of the area, not begin in the interior and move outward. Therefore, staff finds this request is premature for the area and does not support the waiver of development standards.

Design Review #1

The design of the homes complies with the requirements of Title 30 and are consistent and compatible with the architectural style of existing single family residences north of Cactus Avenue. However, staff does not support NZC-18-0560, which must be approved to allow this development. Additionally staff does not support the waiver of development standards for the increased wall height. Therefore, staff cannot support this design review.

Public Works - Development Review

Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation
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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Approval is contingent upon approval of NZC-18-0560.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Provide paved legal access;
- Right-of-way dedication to include 35 feet to the back of curb for Eric Avenue and the associated spandrel;
- Applicant to apply for right-of-way grants for 100 feet for Durango Drive from Eric Avenue to Cactus Avenue, for 40 feet for Eric Avenue from Durango Drive to the western boundary of the subject site, and for 30 feet for Levi Avenue from Durango Drive to the western boundary of the subject 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way or dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; when installing streets using "L" type curbs, a minimum of 37 feet wide is required, back of curb to back of curb; if using rolled curbs, minimum 39 feet widths are required, from back of curb to

back of curb; and that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.

Clark County Water Reclamation District (CCWRD)

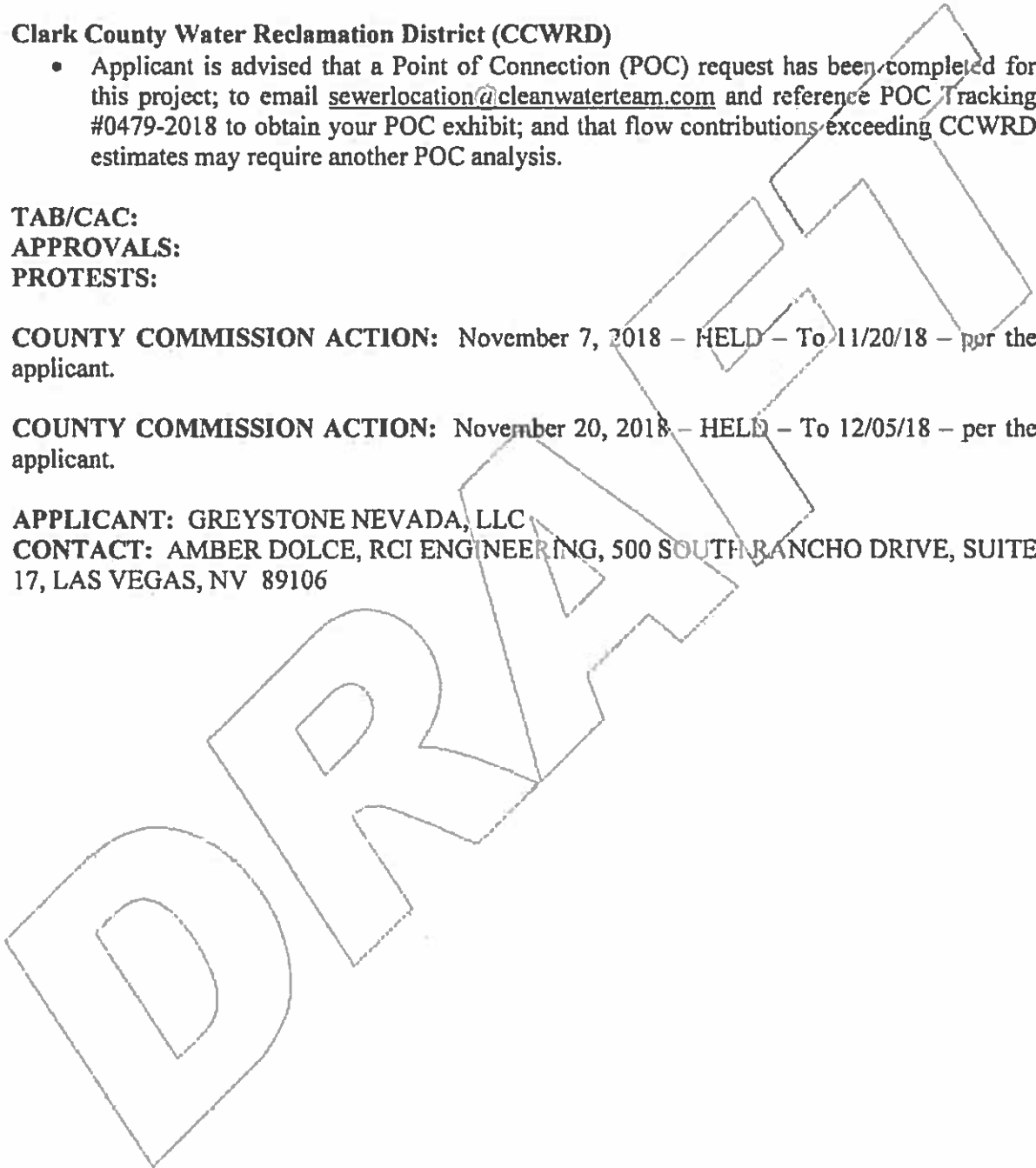
- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0479-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 11/20/18 – per the applicant.

COUNTY COMMISSION ACTION: November 20, 2018 – HELD – To 12/05/18 – per the applicant.

APPLICANT: GREYSTONE NEVADA, LLC
CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 SOUTH RANCHO DRIVE, SUITE 17, LAS VEGAS, NV 89106



UPDATE

RETAIL CENTER
(TITLE 30)

BLUE DIAMOND RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-18-0621-VACCARO, LOUIS & LINDA REV TRS:

AMENDED HOLDOVER ZONE CHANGE to reclassify 2.4 acres from H-2 (General Highway Frontage) Zone to C-1 (Local Business) Zone (previously notified as C-2 (General Commercial) Zone) in the MUD-3 Overlay District.

USE PERMITS for the following: 1) reduced separation from a convenience store to a residential use; 2) reduced separation from a gasoline station to a residential use; 3) reduced separation from a vehicle wash to a residential use (no longer needed); 4) allow a convenience store (previously not notified); 5) allow a gasoline station (previously not notified); and 6) allow alcohol sales, liquor – packaged only not in conjunction with a grocery store (previously not notified).

DESIGN REVIEWS for the following: 1) proposed convenience store; 2) proposed gasoline station; 3) proposed vehicle wash (no longer needed); 4) proposed retail building; and 5) proposed restaurant with a drive-thru (no longer needed).

Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise (description on file). SB/pb/ja (For possible action)

RELATED INFORMATION:

APN:

176-20-201-008

USE PERMITS:

1. Reduce the separation from a convenience store to a residential use to 54 feet (previously notified as 45 feet) where a minimum of 200 feet is required per Table 30.44-1 (a 73% reduction (previously notified as a 77.5% reduction).
2. Reduce the separation from a gasoline station to a residential use to 166 feet (previously notified as 45) feet where a minimum of 200 feet is required per Table 30.44-1 (a 17% reduction (previously notified as a 77.5% reduction).
3. Reduce the separation from a vehicle wash to a residential use to 45 feet where a minimum of 200 feet is required per Table 30.44-1 (a 77.5% reduction) (no longer needed).
4. Allow a convenience store (previously not notified).
5. Allow a gasoline station (previously not notified).
6. Allow alcohol sales, liquor – packaged only not in conjunction with a grocery store (previously not notified).

**LAND USE PLAN:
ENTERPRISE - COMMERCIAL GENERAL**

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Retail center consisting of a convenience store, gasoline station, retail building, and packaged liquor store
- Number of Stories: 1
- Building Height: Up to 25 feet
- Square Feet: 3,000 convenience store/4,200 gasoline service canopy/8,800 retail building with a packaged liquor store
- Parking Required/Provided: 48/68

Site Plans

The applicant submitted revised plans and modified the request. The revised plans depict a retail center consisting of a convenience store, gasoline station, and retail building with a packaged liquor store. The convenience store is located on the southwestern portion of the site, 54 feet from the south property line and the gasoline service pumps and canopy are located on the northwest portion of the site approximately 200 feet from the south property line and 166 feet from the east property line. The retail building is located on the eastern portion of the site, 120 feet from the south property line approximately 45 feet from the eastern property line. All of the buildings and structures are at least 73 feet from the public streets to the north and west. The site has access to Fort Apache Road and Blue Diamond Road.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is located along the north property line adjacent to the Blue Diamond Road right-of-way and a 28 foot wide landscape area with a detached sidewalk is located along the west property line adjacent to Fort Apache Road. The landscape areas adjacent to the south and east property lines adjacent to existing residential uses are a minimum of 15 feet with intense landscaping per Figure 30.64-12. Interior parking lot trees are distributed throughout the site and additional landscaping is located adjacent to the convenience store and retail buildings. The landscape materials include trees, shrubs, and groundcover.

Elevations

All of the buildings have flat roofs with parapet walls with a varied roofline ranging in height from 22 feet to 25 feet. The buildings have a similar architectural façade that includes stucco siding with architectural features and enhancements such as architectural insets, reveals, stone and brick veneer, fenestration, pop-outs, and awnings.

Floor Plans

The plans depict a 3,000 square foot convenience store with a 4,200 square foot gasoline service canopy and an 8,800 square foot retail building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant has modified the application and is requesting C-1 zoning with use permits to allow a convenience store, gasoline service station, and packaged liquor store that is not a part of a grocery store. The applicant indicates the zone change request conforms to the land use plan and the design of the site meets the intent of the Code and the goals and policies of the land use plan. The previously requested use permits to reduce the separation from the existing residential uses are appropriate because of constraints caused by the adjacent public streets which are major arterial streets, and negative impacts will be mitigated by the extra landscaping provide along the south and east property lines. The additional use permits are required because the zone change request has been reduced to C-1 zoning.

Surrounding Land Use

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

This site and the surrounding area are located within a Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

This request conforms to the Enterprise Land Use Plan that designates this site for Commercial General. Furthermore, C-1 zoning is a more suitable zoning district for the site than the previously requested C-2 zoning. The C-1 zoning district is established to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. Title 30 states that the intent of the C-2 zoning district is for sites typically greater than 10 acres. The subject site is only 2.4 acres and surrounded on 2 sides by existing single family developments. Based on the criteria listed above, staff can support the request for C-1 zoning.

Use Permits

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

The applicant has redesigned the site increasing the separation between the proposed convenience store and gasoline service station, withdrawn the use permit for the vehicle wash, and requested 3 additional use permits required to allow the uses in a C-1 zone. Although the applicant has improved the design by consolidating 2 buildings into 1 retail building located on the eastern portion of the site between the gasoline service island and the residential development to the east while retaining the extra landscaping on the site, staff still finds that a 73% reduction in separation between the requested convenience store and the existing residential development to the south is still excessive. More could be done to increase the separation from the residential uses such as reorienting the convenience store building and redesigning the parking lot so the convenience store is farther away from the residential development to the south. Based on the current design staff finds that the requests conflict with Urban Specific Policy 67 of the Comprehensive Master Plan, which states that site planning and building design of commercial developments should be compatible with abutting uses through the use of appropriate buffers, setbacks, landscaping, building height and materials. Therefore, staff cannot support use permit #1 to reduce the separation between the convenience store and the residential development to the south. Staff can support use permits #2, #4, #5, and #6. Staff can support use permit #1 if the convenience store building was relocated and reoriented so it was at least 100 feet from the southern property line.

Design Reviews

Staff finds that the design of the proposed buildings comply with Title 30. Furthermore, the proposed buildings are architecturally compatible with each other and constructed with decorative materials and has parapet walls. Therefore, the request complies with Urban Specific Policy 79 which encourages commercial developments to use visually articulated elements including, but not limited to towers, domes, decorative fascias or parapets, pilasters or columns, arcades or colonnades, decorative details such as tiles, wrought iron (tubular steel), fenestration, landscaped planters or trellises, pitched/hipped roofs, or other visually articulated design utilizing harmonious volumes, spaces and materials. The applicant has submitted revised plans that have improved the overall site design; however, staff is still concerned about the overall site design including the access to Blvd Diamond Road which is a major arterial. Staff also finds the location of convenience store building and uses too intense for a site this small adjacent to existing residential uses. Therefore, staff finds the request conflicts with Urban Specific Policy 61 which states that when commercial development is proposed adjacent to single family residential areas, nuisances caused by incompatible uses, noise, lighting, and signs that detract from and are not consistent with the existing residential development should be prevented. Furthermore, the design of the site is contingent upon approval of the use permit #1 which staff cannot support. Staff could support the design review if the convenience store building was relocated and reoriented so it was at least 100 feet from the southern property line.

Staff Recommendation

Approval of the zone change, use permits #2, #4, #5, and #6, and design review #2 and #4; and denial of use permit #1 and design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- **No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;**
- **Relocate the convenience store so it is a minimum of 100 feet from the existing residential development;**
- Provide a 15 foot wide landscape area with landscaping per Figure 30.64-12 along the south and east property lines;
- Design review as a public hearing for significant changes to the plans, including significant changes to the landscape plan;
- Design review as a public hearing for lighting and signage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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 and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road together with a right turn lane per the Uniform Standard Drawings;
- Full off-site improvements;
- Construction of the dedicated right turn lane to be coordinated with Public Works;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works-Development Review Division.
- Applicant is advised that driveways must be a minimum of 32 feet wide measured from the lip of gutter to the lip of gutter; that radii at the corners and driveways must comply with Uniform Standard Drawings 201, 222.1, and 225; and that the installation of

detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0496-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

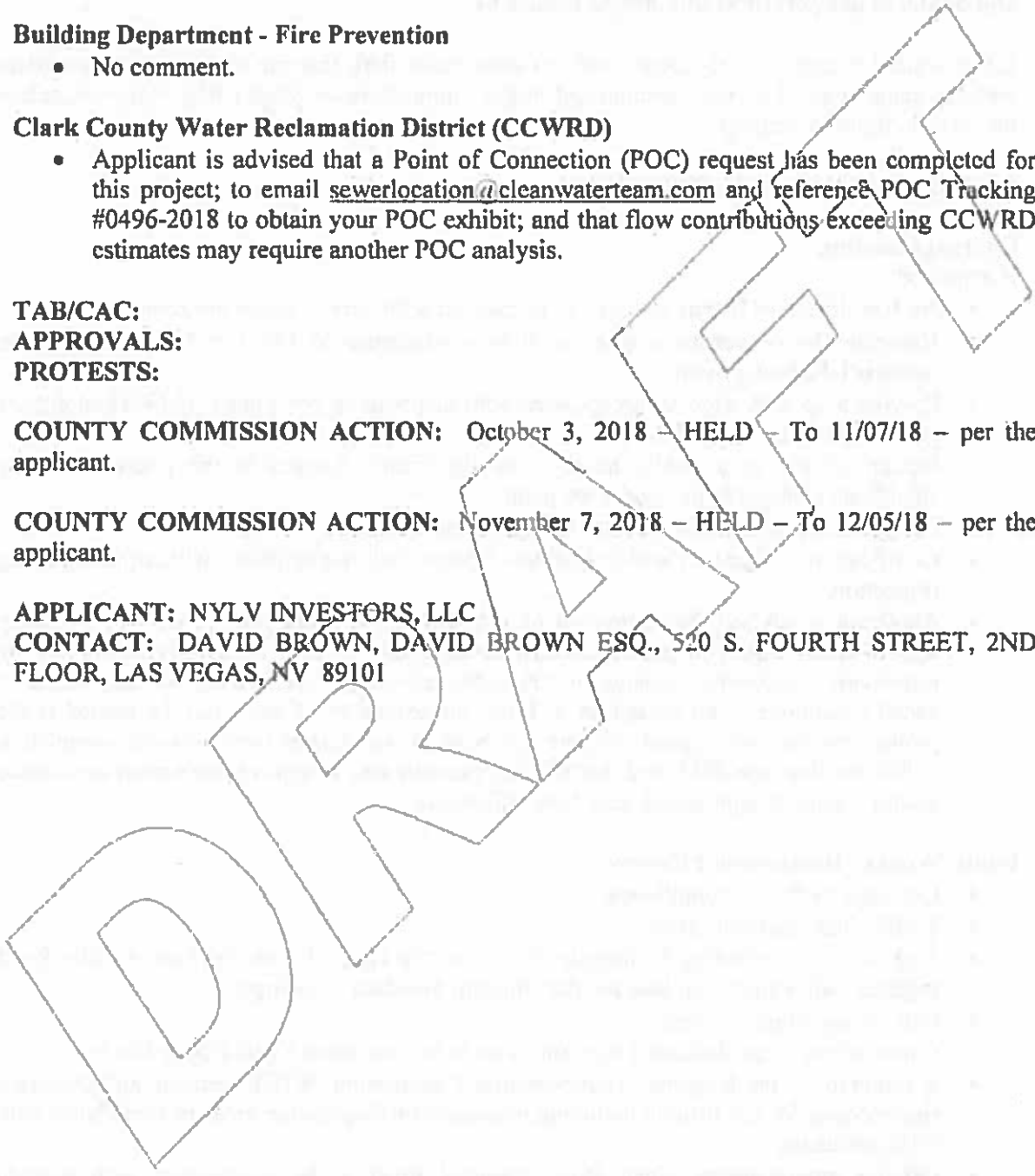
PROTESTS:

COUNTY COMMISSION ACTION: October 3, 2018 – HELD – To 11/07/18 – per the applicant.

COUNTY COMMISSION ACTION: November 7, 2018 – HELD – To 12/05/18 – per the applicant.

APPLICANT: NYLV INVESTORS, LLC

CONTACT: DAVID BROWN, DAVID BROWN ESQ., 520 S. FOURTH STREET, 2ND FLOOR, LAS VEGAS, NV 89101



12/19/18 BCC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

MISTRAL AVE/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0754-CHURCH DEBRE BISRAT ST GABRIEL ETHIOPIAN OT:

USE PERMITS for the following: 1) place of worship; and 2) increase the height of an ornamental spire and dome.

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

DESIGN REVIEWS for the following: 1) place of worship; and 2) increase finished grade on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the west side of Lindell Road and the south side of Mistral Avenue (alignment) within Enterprise. SB/md/ja (For possible action)

RELATED INFORMATION:

APN:
176-13-101-026

USE PERMITS:

1. Permit a proposed place of worship.
2. Increase the height of a proposed ornamental spire and dome to 58 feet where a maximum height of 35 feet is permitted per Table 30.44-1 (a 65.7% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the driveway departure distance (driveway off-set) from Mistral Avenue for a driveway along Lindell Road to 168 feet where 190 feet is required per Uniform Standard Drawing 222.1 (an 11.6% reduction).
2. Reduce throat depth for a commercial driveway along Lindell Road to 50 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (a 50% reduction).

DESIGN REVIEWS:

1. Place of worship.
2. Increase finished grade up to 24 inches where 18 inches is the standard per Section 30.32.040 (a 33.4% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8245 Lindell Road
- Site Acreage: 2
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 58 feet
- Square Feet: 9,622 (place of worship)/2,577 (existing single family residence)
- Parking Required/Provided: 99/125

Site Plans

The plans depict a proposed 1 story place of worship consisting of 9,622 square feet. An existing 1 story single family residence, consisting of 2,577 square feet, will be utilized as a rectory and living quarters for members of the clergy. The place of worship is set back 80 feet from the north and east property lines, 175 feet from the south property line, and 75 feet from the west property line. The single family residence that will be utilized as a rectory is set back 65 feet from the west property line, 30 feet from the south property line, 120 feet from the east property line, and 210 feet from the north property line. The proposed place of worship is centrally located within the project site. The single family residence is located on the southern portion of the site. A proposed 5 foot wide detached sidewalk is located along Lindell Road. A 5 foot wide pedestrian walkway connects the place of worship to the detached sidewalk adjacent to Lindell Road. The required trash enclosure is located along the western property line. Parking spaces for the project site are located around the buildings and perimeter of the site. One hundred twenty-five parking spaces are provided for the project site where 99 spaces are required. Two bicycle racks are located at the northwest corner of the place of worship. Access to the project site is granted via an existing commercial driveway along Lindell Road.

Landscaping

The plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along Lindell Road. Twenty-four inch box trees are proposed within the landscape area along the street frontage. A 10 foot wide landscape area is proposed along the north, south, and west property lines of the project site. Twenty-four inch box large evergreen trees will be planted 10 feet on center along the south property line, adjacent to the single family residential uses. Interior parking lot landscaping is equitably distributed throughout the site.

Elevations

The overall height of the place of worship ranges between 29 feet to 58 feet, the highest point being the ornamental spire and dome. The domes depicted on the elevations range between 43 feet to 58 feet in height. The building will be painted in neutral, earth tone colors. The materials of the building consist of masonry brick, a stucco exterior, and a concrete tile roof. A copper dome structure is centrally located on the roof top of the place of worship. Two additional roof top domes are featured on the west elevation, located at opposite sides of the building's entrance. Multiple windows are featured on the north, south, and west elevations of the structure. The existing 1 story single family residence consists of a pitched, concrete tile roof with a stucco exterior. The single family residence consists of neutral, earth tone colors.

Floor Plans

The plans depict a 9,622 square foot place of worship featuring a worship area, restrooms, cry room, lobby area, baptism area, change room, office, fire riser room, and altar area. The existing single family residence that will be utilized as a rectory consists of 2,577 square feet with a 1,168 three car garage. The single family residence contains 3 bedrooms, a living room, family room, kitchen, dining room, and a bathroom.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that there is an existing need for the proposed place of worship as the church's congregation continues to grow within the Las Vegas Valley. The proposed place of worship will also serve new members of the parish residing in the nearby single family residential developments. The existing single family residence located on the property will be utilized as a rectory for members of the clergy.

The place of worship utilizes the traditional architectural design that is found in similar Eastern Orthodox churches. The dome is required to be predominantly higher than the surrounding structures within the immediate area. In order to properly serve the congregation and not create any neighborhood issues, the church has provided additional on-site parking. Therefore, a request to reduce the throat depth at the main gate from 100 feet to 50 feet is requested. The requested waiver will improve space utilization and provide more on-site parking spaces. A reduction to the departure distance on Lindell Road from the Mistral Avenue intersection is also requested so as to not push the site entry gate farther to the south of the project site and to maintain some balance and proportion to the site design. Due to the topography of the site, a planned increase to the finished grade is also requested.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified the project site to an R-E (RNP-I) zone	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business and Design/Research Park	R-E and M-1	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped & single family residence

Related Applications

Application Number	Request
VS-18-0755	A vacation and abandonment of easements and a portion of right-of-way being Mistral Avenue located between Duneville Street and Edmond Street is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permit #1

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering; a place of worship can be consistent and compatible with residential neighborhoods in accordance with Title 30 and the Comprehensive Master Plan. Other places of worship have been approved and developed in residential areas with little or no adverse impact to the community. Staff does not have an issue with the proposed use; therefore, can support the request. However, staff is concerned with the design and overall height of the place of worship.

Use Permit #2

Urban Specific Policy 10 from the Comprehensive Master Plan encourages site designs to be compatible with adjacent land uses, especially when the adjacent land use is a lower density or intensity. Urban Specific Policy 19 states scale relationships between buildings and adjacent developments should be carefully considered. Furthermore, building heights should be transitioned so any structure adjacent to a residential use is of similar height. The existing single family residences within the immediate area, including the residential development to the northeast, east, and southwest of the project site are predominantly 1 story structures not exceeding 35 feet in height. The increase in height to the ornamental spire and dome feature associated with the place of worship is not compatible with the height of the existing residences within the surrounding neighborhood. Additionally, the proposed height increase does not comply with Urban Specific Policies 10 and 19; therefore, staff cannot support this request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Design Review #1

Staff finds the architecture and height of the proposed place of worship is not designed to minimize impacts to the surrounding residential area. The existing single family residential development within the surrounding area predominantly consists of single story homes. The overall design and height of the proposed structure is not consistent or compatible with the surrounding residential neighborhood. The proposed place of worship will be the tallest structure within the immediate area. Urban Specific 19 states scale-relationships between buildings and adjacent developments should carefully be considered. Varying building heights, breaking-up the mass of a building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. Building heights should be transitioned so any structure adjacent to a residential use is of similar height. Building heights should also vary with lower building heights adjacent to streets and surrounding residential uses to reduce the perceived mass of buildings. Staff is concerned with the bulk and mass of the building, as it relates to the existing single family residences within the immediate area. The existing residence located to the southeast of the project site measures 2,142 square feet in area and the residence to the east of the site, across Lindell Road, has an overall area of 2,062 square feet. Although the perimeter landscaping surrounding the project site exceeds Code requirements, staff cannot support the overall design of the place of worship as it does not meet several of the design goals and policies of the Comprehensive Master Plan. Therefore, staff recommends denial.

Public Works - Development Review Waiver of Development Standards #1

Staff has no objection to this request since the applicant is proposing to vacate Mistral Avenue. If that vacation is approved and recorded, this waiver would not be necessary. Without the vacation, the driveway location is still appropriate as Lindell Road is a minor collector in this area and Mistral Avenue would dead-end into the UPRR, so vehicular conflicts are unlikely.

Waiver of Development Standards #2

Staff finds that the 50 foot throat depth provided is sufficient to allow vehicles to exit the travel lanes of Lindell Road before drivers encounter a point of conflict.

Design Review #2

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

Department of Aviation

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

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Design review as a public hearing for any significant changes to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that the driveway must comply with Uniform Standard Drawings 222.1 and 225, except as waived with this or subsequent applications, with the minimum width to be 32 feet from lip of gutter to lip of gutter; that sight visibility zones must comply with Uniform Standard Drawing 201.2; 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 required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds, current plan shows an over length dead end at parking space #103; and to show fire hydrant locations on-site and within 750 feet.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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 #0576-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ABBA WOLDEYESUS ADMASIE

**CONTACT: ABBA WOLDEYESUS ADMASIE, 8245 S. LINDELL RD, LAS VEGAS, NV
89139**

DRAFT

RIGHT-OF-WAY & EASEMENTS
(TITLE 30)

LINDELL RD/WINDMILL LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-18-0755-CHURCH DEBRE BISRAT ST GABRIEL ETHIOPIAN O T ET AL:

VACATE AND ABANDON easements of interest to Clark County located between Westwind Road (alignment) and Lindell Road (alignment), and between Shelbourne Avenue (alignment) and Windmill Lane (alignment) and a portion of a right-of-way being Mistral Avenue located between Westwind Road (alignment) and Lindell Road (alignment), and a portion of right-of-way being Lindell Road, located between Mistral Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). SB/md/ja (For possible action)

RELATED INFORMATION:

APN:

176-13-101-014; 176-13-101-026

LAND USE PLAN:

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

BACKGROUND:

Project Description

This application is a request to vacate and abandon portions of easements and right-of-way. The first part of the request is to vacate a 30 foot wide easement as acquired by Clark County in a resolution relative to acquisition of rights-of-way by document number 642:601823, located along the south property line of parcel number 176-13-101-014, along the Mistral Avenue alignment. The second part of the request is to vacate a 30 foot wide portion of Mistral Avenue located along the northern property line of parcel number 176-13-101-026. The applicant states that Mistral Avenue terminates at the railway line and becomes a "dead end"; therefore, it is not necessary to build or maintain this street. The third part of the request is to vacate a 15 foot wide portion of Lindell Road adjacent to the east portion of the project site to accommodate a 5 foot wide detached sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified the project site to an R-E (RNP-I) zone	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business and Design/Research Park	R-E and M-1	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped & single family residence

Related Applications

Application Number	Request
UC-18-0754	A use permit for a proposed place of worship and to increase height of an ornamental spire; waivers of development standards to reduce driveway departure distance and reduce throat depth; and design reviews for a proposed place of worship and to increase finished grade 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 15 feet of Lindell Road right-of-way as it will allow the reduction of the street width to match the Transportation Element and the applicant is installing detached sidewalks. The vacation of Mistral Avenue right-of-way and easement is appropriate as this small segment serves no public purpose.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that 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

- Drainage study and compliance;
- 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 patent easements may exist on the site that interfere with the proposed development; and 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.

Building Department - Fire Prevention

- See comments for 18-0754.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ABBA WOLDEYESUS ADMASIE

CONTACT: ABBA WOLDEYESUS ADMASIE, 8245 S. LINDELL RD, LAS VEGAS, NV 89139

12/19/18 BCC AGENDA SHEET

LIGHTING AND SIGNAGE
(TITLE 30)

WIGWAM AVE/MONTESSOURI ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0823-LEGACY TRADITIONAL SCHOOLS-NEVADA INC.:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a proposed animated sign (electronic message unit/video graphics) in conjunction with a monument sign; and 2) increased wall height (previously not notified).

DESIGN REVIEWS for the following: 1) proposed site lighting; 2) proposed signage; and 3) proposed wall (previously not notified) in conjunction with an approved school on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southeast corner of Wigwam Avenue and Montessori Street (alignment) within Enterprise. SB/pb/ja (For possible action)

RELATED INFORMATION:

APN:
176-15-701-008; 176-15-701-029

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit an animated sign (electronic message unit/video graphics) in conjunction with a monument sign where not permitted.
2. Increase combined retaining/block wall/fence height to 13 feet, 4 inches (up to 7 foot, 4 inch retaining with a 6 foot screen wall) where a maximum of 9 feet (6 foot retaining with a 3 foot screen wall) is permitted per Section 30.64.050 (a 48.1% increase) (previously not notified).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 7077 W. Wigwam Avenue
- Site Acreage: 10
- Project Type: Lighting, signage, and wall height
- Wall Height: Up to 13 feet, 4 inches
- Light Pole Height (feet): 20 (parking lot lights)
- Sign Height (feet): 10 (proposed monument)

- Sign Area: 18 (electronic message unit/video graphics)/70 (overall monument sign including proposed electronic message unit)/220 square feet (wall sign)

Site Plan & Request

The plan depicts an approved 2 story, 98,213 square foot proposed Charter school (Legacy Traditional School) which will house K through 8th grade. The plans show an "L" shaped 2 story building oriented on the north and east sides of the site. The plans also show an unlit athletic field and basketball court as well as playground equipment and swings located to the south and west of the school building. This is a design review request for signage and lighting for the development, required as a condition of approval for a previously approved land use application. The request also includes retaining/screen walls along the perimeter of the site.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is located along the perimeter of the site adjacent to public streets. The combination retaining/screen walls are located on the interior sides of the landscape areas.

Elevations

The plans show a 2 story, 35 foot high building with flat roof and various heights of parapet walls. The north and east elevations show a standing seam metal dome and all windows show architectural pop-ups. The front of the building will have pilaster columns and storefront windows and doors. The building is constructed of stucco finish, wood framing and brick veneer, and metal shade canopies on the south and west elevations. The building will be painted with desert contrasting colors. The plans also depict combination retaining/screen walls up to 13 feet, 4 inches along the southwest corner of the site adjacent to Montessori Street and Cougar Avenue.

Lighting

The plans depict 2 different types of proposed lighting as follows: 1) 20 foot high light poles; and 2) wall-mounted lighting. The plans show seventeen, 20 foot high decorative posts distributed throughout this parking lot located on the northern portion of the site. The plans show wall fixtures located on the south (rear) side of the building along the walking paths. The light distribution and photometric plan shows that no light will spill onto the adjacent properties.

Signage

The plans depict a 10 foot high monument sign with an 18 square foot animated sign (electronic message unit/video graphics) oriented towards Wigwam Avenue. Per Title 30, animated signs are not allowed in a residential district. The plans also depict a 220 square foot illuminated wall sign located on the northeastern corner of the building. The signs include letters identifying "Legacy Traditional School". The animated sign will provide students and the community with information such as early release days and school activities.

Applicant's Justification

The applicant states that a condition of approval required a design review for signage and lighting for the development. The photometric study shows no light will spill over to the neighboring properties. The animated sign will provide information to students and the public

which will be helpful to the community. The increased retaining wall height is required to allow the 15 foot wide landscape area with a detached sidewalk along the public streets.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0515	Vacated and abandoned patent easements and a BLM right-of-way grant	Approved by PC	September 2018
UC-0257-17	Charter school (Legacy Traditional)	Approved by BCC	October 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (3.5 du/ac)	R-E (RNP-I) & R-2	Undeveloped
South & West	Rural Neighborhood Preservation (2 du/ac)	R-E (RNP-I)	Undeveloped
East	Commercial General	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The purpose of the sign regulations is to preserve the non-commercial character of residential neighborhoods and to maintain and enhance the aesthetic environment. For these reasons animated signs are not permitted in a residential district. Furthermore, an animated sign conflicts with the intent of several of the conditions of approval established by the Board of County Commissioners with the previous land use application for the school (UC-0257-17) restricting lighting on this site. Furthermore, staff finds the request conflicts with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and also with surrounding development. Monument signs are encouraged, and any illuminated signs should be oriented away from neighborhoods. Therefore, staff cannot support this request.

Waiver of Development Standards #2 & Design Review #3

The applicant indicates that the increase in the height of the retaining walls is necessary due to the topography of the site. The topography of the site can be a unique or special circumstance to justify an increase in wall height; therefore, staff can support this waiver and design review.

Design Review #1

The photometric plan submitted by the applicant shows well-planned light distribution throughout the site. The height of the light poles comply with Title 30 standards that all lights are being shielded to minimize light spillage and prevent negative impacts on the adjacent parcels. Furthermore, the intense landscape buffer along the southern boundary will aid in shielding any view of the lighting from the residences. Staff finds that the submitted plans comply with Urban Specific Policy 15 of the Comprehensive Master Plan which states lighting design should be sensitive to on-site and off-site residential uses. All exterior light sources should be shielded to direct light away from on-site residential uses. The location and design of the proposed lighting plan comply with Title 30 standards and the land use plan, and as a result, the lighting will not create any negative impacts on the neighborhood or adjacent residential developments. Therefore, staff can support this request.

Design Review #2

The proposed signs meet Code requirements in terms of size and height, and staff finds that the signs will be constructed with similar materials as the building on-site in conformance with Urban Specific Policy 20 which states all signage should be compatible with building styles on-site and also with surrounding development. Therefore, staff can support this request for the wall sign. Staff has no objection to the monument sign; however, approval of the monument sign is contingent upon approval of the waiver of development standards for the animated sign. Staff could support the request for the monument sign if the animated portion of the sign was removed.

Staff Recommendation

Approval of waiver of development standards #2, design reviews #1, #3, and the portion of design review #2 for the wall sign, and denial of the waiver of development standards #1 and the portion of design review #2 for the monument sign.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0310-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PROVESTUS DEVELOPMENT SOLUTIONS

CONTACT: MOISES RIVERA, SH ARCHITECTURE, 7250 PEAK DR, SUITE 216, LAS VEGAS, NV 89128

DRAFT

01/08/19 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

TORINO AVE/BELCASTRO ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400243 (UC-0691-16)-CARL, ROBERT SCOTT LIVING TR 2006 & CARL, ROBERT SCOTT TRS:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) increase the area of a proposed accessory structure; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive applicable design standards in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the west side of Belcastro Street and the north side of Torino Avenue within Enterprise. (description on file). SB/tk/ja (For possible action)

RELATED INFORMATION:

APN:
176-15-801-003

USE PERMITS:

1.
 - a. Increase the area of a proposed accessory structure to 5,625 square feet where an accessory structure with a maximum area of 1,135 square feet (50% of the footprint of the principal building) is permitted (a 496% increase).
 - b. Increase the cumulative area of all accessory structures to 5,625 square feet where a maximum cumulative area of 2,271 square feet (the footprint of the principal building) is permitted (a 248% increase).
2. Allow a metal accessory structure where required to be architecturally compatible with the principal building.
3. Waive all applicable design standards per Table 30.56-2A for nondecorative metal siding, nondecorative metal roof, and roof pitch.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8785 Belcastro Street
- Site Acreage: 1
- Project Type: Accessory structure (storage)
- Number of Stories: 1
- Building Height (feet): 23

- Square Feet: 5,625

Site Plans

The approved plans depict a 5,625 square foot accessory structure (storage) located on the western portion (rear) of the 1 acre lot. The single family residence is located on the eastern portion of the parcel. The proposed structure will be set back 10 feet, 7 inches from the west property line (rear), 15 feet from the north property line (interior side), and 10 feet, 8 inches from the south property line (side street which is Torino Avenue). This request complies with all other zoning district standards including overall lot coverage.

Elevations

The approved elevations depict a 1 story, 23 foot high, prefabricated metal structure. A picture on file depicts horizontal metal siding that will be painted to match the existing residence. The horizontal metal siding does not contain any decorative features. The metal structure consists of a nondecorative, screw down metal roof with a 2:12 pitch. The roof will be painted to match the existing residence. There are 5 roll-up doors on the east elevation facing the rear of the single family residence.

Floor Plans

The approved plans depict a 5,625 square foot shell garage storage structure.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0691-16:

Current Planning

- Expunge UC-0339-15;
- Plant 6 Cyprus Trees 20 feet on center along the western property line, 2 small trees 20 feet on center along the northern portion of the accessory structure, and 3 small trees 20 feet on center along the southern portion of the accessory structure;
- Paint accessory structure to match residence.
- Applicant is advised that 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.

Southern Nevada Health District (SNHD) – Septic

- Applicant is advised that a Tenant Improvement must be completed with SNHD for the proposed RV storage that is to be located on the property; and that the RV waste cannot be drained into the existing septic system as this is a violation of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management.

Applicant's Justification

The applicant is requesting this extension of time to obtain the proper funding for his approved accessory structure.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0691-16	Increased the area of a proposed accessory structure, allowed an accessory structure not architecturally compatible with the principal building, and waived applicable design standards	Approved by PC	November 2016
UC-0339-15	Increased footprint of accessory structure and waived design standards for accessory structure	Approved by PC	August 2015
VS-0004-15	Vacated and abandoned patent easements	Approved by PC	March 2015
ZC-1026-05	Reclassified 3,800 parcels of land from R-E to R-E (RNP-I) zone	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Residential
South, East, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

*The subject parcel and surrounding area are located within the public facilities needs assessment PFNA area.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed 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 or policies affecting the subject property. Since the original approval of the use permit, the applicant has made no progress towards completion of the project, and has experienced some funding issues and is requesting an additional 2 years to obtain the needed funding for the project. Staff finds that nothing has changed on the subject property or in the surrounding areas; therefore, can support this 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until November 15, 2020 to complete.
- Applicant is advised that 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.

Public Works - Development Review

- No comment.

County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ROBERT CARL

CONTACT: ROBERT CARL, 8785 BELCASTRO ST, LAS VEGAS, NV 89113

DRAFT

01/08/19 PC AGENDA SHEET

COMMERCIAL DEVELOPMENT
(TITLE 30)

RAINBOW BLVD/MERANTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-18-0888-KARABACHEV FAMILY TRUST & KARABACHEV, JANE A. TRS:

ZONE CHANGE to reclassify 1.9 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce driveway approach distances from the intersection; and 2) full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Meranto Avenue.

DESIGN REVIEW for a proposed retail center.

Generally located on the west side of Rainbow Boulevard and north side of Meranto Avenue within Enterprise (description on file). SB/rk/ja (For possible action)

RELATED INFORMATION:

APN:

176-22-701-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the approach distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 96 feet along Meranto Avenue where 150 feet is the minimum per Chapter 30.52 (a 36% reduction).
2. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Meranto Avenue.

LAND USE PLAN:

ENTERPRISE - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Commercial development
- Number of Stories: 1
- Building Height (feet): 27
- Square Feet: 12,000
- Parking Required/Provided: 84/85

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on October 15, 2018, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There was 1 attendee present at the open house meeting for this item. The attendee had general questions on the design and layout of the project.

Site Plan

The subject site is currently zoned R-E and designated as Office Professional in the Enterprise Land Use Plan which makes this zone boundary request nonconforming with that land use designation. The plans submitted with this request depict a proposed retail center consisting of 1 in-line retail building and 2 future pad site buildings. The pad site buildings are located along Rainbow Boulevard and the in-line retail building is located near the western property line. A shared cross access drive is shown to the property to the north (Walmart site). Parking is equitably distributed throughout the site with the majority of the parking spaces shown in the middle of the site. There is 1 main access point shown along Rainbow Boulevard. This request also includes waivers of development standards to reduce driveway approach distances from the intersection and allow non-urban street standards for Meranto Avenue.

Landscaping

The plans depict a 17 foot wide landscape area with a detached sidewalk on Rainbow Boulevard and a 15 foot wide landscape area with an attached sidewalk along Meranto Avenue. Along the western property line, a 10 foot wide intense landscape buffer is shown adjacent to the RNP neighborhood, and to the north a 10 foot wide landscape buffer is shown adjacent to the Walmart site. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The proposed in-line building is 1 story, up to 27 feet high, consisting of colored stucco or EFIS, decorative cornice trim, reveal bands, metal canopies, and aluminum storefront window systems. The pad site buildings are proposed as future development.

Floor Plans

The plans depict a total building area of 12,000 square feet. The in-line retail building will have an area of 6,000 square feet. The plans indicate the building will be constructed with an open floor plan with areas that will be modified to meet the needs of future tenants. The future pad site buildings are approximately 3,000 square feet each.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the shopping center is ideal as it will serve the commercial needs of the RNP and master planned community of Mountain's Edge. The proposed zone change will not result in any additional impacts on the surrounding infrastructure already contemplated in the

area. Furthermore, the applicant indicates three recent commercial projects south of this site have been approved for C-1 zoning.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project - General Commercial	C-1	Walmart site
South	Major Development Project - Office Professional	C-1	Approved shopping center
East	Business and Design/Research Park	R-E	Undeveloped
West	Rural Neighborhood Preservation	R-E/RNP-1	Undeveloped

Related Applications

Application Number	Request
NZC-18-0915	A zone boundary amendment to C-2 zoning for a proposed shopping center located 360 feet to the north on the east side of Rainbow Boulevard is a related item this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning Zone Change

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

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

According to the applicant there is a trend of approved C-1 zoning on the west side of Rainbow Boulevard from Blue Diamond Road to Landberg Avenue.

Staff finds that there have been changes in the area subsequent to the adoption of the land use plan that make this amendment appropriate. The Walmart site has recently been constructed to the north and single family homes are under construction by DR Horton to the west. Additionally, three commercial projects have been recently approved south of this site for C-1 zoning making this request appropriate. Therefore, staff finds the character and condition of the area (on the west side of Rainbow Boulevard) has changed from office professional uses to local retail business uses.

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

According to the applicant this project will complement the approved commercial developments to the south and the existing Walmart shopping center to the north. The design of the project will provide an intense landscape buffer with emergency exit doors located along the west property line; thus, creating an area where there will be no activity between the commercial development and the residential development.

The intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. This request for C-1 zoning is compatible with the existing and proposed land uses in the area. The design and layout of this project have addressed some of the impacts that come with the sensitivity of commercial development adjacent to less intensive uses. The plans depict adequate parking on-site, and sensitivity was given to site design, building materials, and landscape buffers. Staff finds that the project will provide a good transition from the industrial warehouse developments to the east to the residential developments to the west.

- 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.*

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. Sufficient public services may not exist in the immediate area and because the site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities.

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

The zoning request is appropriate because the area along this corridor is partially transitioning to higher commercial uses. The site complies with Urban Land Use Policy 10, which encourages, in part, site design that are compatible with adjacent land uses and off-site circulation patterns, especially when adjacent land use is a lower density and intensity. The request complies with Urban Land Use Policy 65 of the Comprehensive Master Plan that encourages, in part, cross access with adjoining sites. Lastly, the proposed site design complies with Urban Land Use Policy 67 which encourages, in part, ensuring that commercial developments are complementary with abutting uses through site planning and building design.

Summary

Zone Change

Staff finds that there has been a change in law, policies, and trends that make this request appropriate for the area. The reclassification of the site to a C-1 zone would allow the proposed uses within the retail center, within a zoning district that is compatible with existing and planned land uses in the area. There has been no indication that the proposed retail center will have an adverse effect on public facilities and services in the area. In addition, the request complies with other adopted goals and policies. Therefore, staff finds that the request satisfies the requirements for a Compelling Justification to warrant the approval of the zone boundary amendment.

Design Review

The design of the building, with the variations in building height, complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking up the mass of a building. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief. The project complies with the requirements of Title 30 and Comprehensive Master Plan policies. Therefore, staff supports the design review.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses and value 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.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in the distance from the proposed driveway to the intersection of Rainbow Boulevard and Meranto Avenue. The location will allow the new driveway to be separated enough from the driveway on the property to the north.

Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

Staff Recommendation

Approval of the zone change, waiver of development standards #1 and the design review; and denial of waiver of development standards #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 6, 2019 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing on future pad sites;
- Low level lighting throughout the entire project with lighting to be addressed through a design review;
- Design review as a public hearing on signage and lighting;
- No wall signs facing west;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Meranto Avenue and the associated spandrel;
- Vacate excess right-of-way on Rainbow Boulevard.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 #0646-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JOHN BURKE

**CONTACT: JOHN BURKE, JOHN DAVID BURKE ARCHITECT, 6037 S. FORT APACHE
RD #110, LAS VEGAS, NV 89148**

DRAFT

01/08/19 PC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-18-0915-RAINBOW & BLUE DIAMOND SOUTHEAST:

ZONE CHANGE to reclassify 8.1 acres from R-E (Rural Estates Residential) Zone and H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone in the MUD-3 Overlay District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway design standards; and 2) reduced driveway separation.

DESIGN REVIEW for a shopping center.

Generally located on the south side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise (description on file). SB/pb/ja (For possible action)

RELATED INFORMATION:

APN:
176-23-201-010; 176-23-201-015; 176-23-201-018

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce throat depth for multiple driveways to zero feet where a minimum of 150 feet is the standard for parking lots over 201 parking stalls per Uniform Standard Drawing 222.1 (an 80% reduction).
2. Reduce the departure distance from the driveway to the intersection to 174 feet where 190 feet is required along Santa Margarita Street per Uniform Standard Drawing 222.1 (an 8.2% reduction).

LAND USE PLAN:
ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 8.1
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 44,100
- Parking Required/Provided: 221/314

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on October 29, 2018, as required by the nonconforming zone boundary amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. One neighbor representing the RNP neighborhood to the west was in attendance who expressed concerns about the design and buffering. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a nonconforming zone boundary amendment.

Site Plan

The plans depict a proposed shopping center consisting of 7 buildings for a total of 44,100 square feet on 8.1 acres. Two retail buildings will be constructed upon approval while the remaining buildings are reserved for future development. The 2 retail buildings are located on the southeastern portion of the site and both have drive-thru service lanes. The drive-thru lane around Building #1 is located on the eastern side of the building with the entrance at the southeastern end of the building next to the southern driveway entrance on Santa Margarita Street and the exit at the northwestern end of the building adjacent to the main drive aisle leading to the northern driveway on Santa Margarita Street. The drive-thru lane for Building #2 is located on the eastern side of the building with the entrance at the southeastern end of the building and the exit on the northeastern end of the building. Customers using either of these drive-thru lanes will be forced to cross opposing traffic lanes. A convenience store with gasoline pumps is located on the northwestern portion of the site, 2 retail/restaurant buildings with drive-thru service are located on the northeastern portion of the site, another retail/restaurant building with drive-thru service is located on the southwestern portion of the site, and a restaurant building is located on the western portion of the site south of the convenience store. Parking areas are distributed throughout the site. The site will have access from Rainbow Boulevard, Santa Margrita Street, and Serene Avenue. The plans depict 5 of the entrance driveways do not comply with Uniform Standard Drawing 222.1 regarding throat depth for parking lots greater than 200 parking spaces. The departure distance for the northern driveway on Santa Margrita Street is 174 feet from Blue Diamond Road to the north.

Landscaping

A 15' foot wide landscape area with detached sidewalk is depicted along all public streets with additional landscaping along Rainbow Boulevard and Blue Diamond Road. Parking lot landscaping is equitably distributed throughout the site in accordance with Title 30 standards. Additional landscaping is located adjacent to Buildings #1 and #2.

Elevations

Buildings #1 and #2 are single story buildings similar in design with a maximum height of 30 feet. The building materials consist of painted stucco with a sand finish, stone veneer and metal band accents, decorative metal canopies, and aluminum window treatments. The roofs of the buildings are flat with parapet walls at various heights. Building #1 has a drive-thru window on the north side and Building #2 has a drive-thru window on the east side. No elevations have been provided for the other buildings.

Floor Plans

The plans depict a total building area of 44,100 square feet. The plans indicate that Buildings #1 and #2 will be constructed with an open floor plan with areas that will be modified to meet the needs of the future tenants. Building #1 is 15,000 square feet and building #2 is 12,000 square feet. The other buildings range in size from 2,500 square feet to 5,100 square feet. No floor plans have been provided for the other buildings.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the site is located at the intersection of 2 major thoroughfares and the area along Blue Diamond Road is developing as retail. The project should have minimal impacts of public facilities and services and will comply with several goals and policies adopted by Clark County. The applicant also indicates the waivers of development standards are required to allow the design to the shopping center and will not negatively impact traffic in the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & H-2	Undeveloped
South	Business and Design/Research Park	C-2	Undeveloped
East	Business and Design/Research Park	C-1, M-D, & M-1	Outside storage & undeveloped
West	Commercial General	C-2 & H-2	Retail uses

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

Related Applications

Application Number	Request
NZC-18-0888	A zone boundary amendment to C-1 zoning for a proposed retail center located 360 feet to the south on the west side of Rainbow Boulevard is a related item this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

According to the applicant the area along Blue Diamond Road is developing as retail.

Staff finds that there have been changes in the area subsequent to the adoption of the land use plan that make this amendment appropriate. The Walmart site has recently been constructed to the west and C-2 zoning has been approved for other parcels to the west fronting on Blue Diamond Road. Additionally, three commercial projects have been recently approved to the south of this site on the west side of Rainbow Boulevard for C-1 zoning. Therefore, staff finds the character and condition of the area has changed from Business and Design/Research Park uses to Commercial General uses.

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 the site is located at the intersection of 2 major thoroughfares and the area along Blue Diamond Road is developing as retail.

The C-2 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community, yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The subject site is located at the intersection of 2 arterial streets (Blue Diamond Road and Rainbow Boulevard). C-2 zoning has been approved for other parcels to the north, south, and west and a mixture of C-1, M-D and M-1 zoning has been approved to the east. Therefore, staff finds the proposed zoning and intensity of this project is compatible with the existing and proposed land use in the area.

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

Staff accepts the assertion made by the applicant regarding the proposed low intensity office/warehouse development and existing infrastructure that serves the surrounding land uses. There has been no indication from public service providers that the proposed development will have an adverse effect on public facilities and services.

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

The zoning request is appropriate because the area along this corridor is transitioning to commercial uses. The site complies with Urban Land Use Policy 10, which encourages, in part, site design that are compatible with adjacent land uses and off-site circulation patterns. Lastly, the proposed site design complies with Urban Land Use Policy 67 which encourages, in part,

ensuring that commercial developments are complementary with abutting uses through site planning and building design.

Summary

Zone Change

Based on the analysis above, staff finds that there have been changes in trends and facts which make this request appropriate for the area. The intensity of the project is compatible with other existing and proposed developments in this area and the project conforms to several applicable goals and policies established by the Comprehensive Master Plan. Therefore, staff finds the applicant has provided a Compelling Justification for the proposed zone change and can support this request.

Waivers of Development Standards

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

Design Review

The design of the building, with varying heights and pop-outs complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking up the mass of a building. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief. There are landscape buffers separating the drive-thru facilities and stacking lanes from drive aisles and public streets in accordance with Urban Specific Policy 21 that encourages drive-thru facilities and stacking lanes, when contiguous to any public right-of-way, residential use, or pedestrian gathering area to be obscured from view by an intense landscape buffer. However, staff is concerned that proper access controls have not been provided to separate the drive-thru from the drive aisles. The drive-thru lane entrance for Building #1 is located at the southeastern end of the building next to the southern driveway entrance on Santa Margarita Street. Customers entering the site from Santa Margarita Street will be forced to make a U-turn to enter the site while customers entering from the interior of the site will be forced to cross the on-coming traffic lane near the entrance from a public street. Both situations create public safety concerns. The exit at the northwestern end of the building is adjacent to the main drive aisle leading to the northern driveway on Santa Margarita Street which will also create public safety concerns. The drive-thru lane entrance for Building #2 at the southeastern end of the building and the exit on the northeastern end of the building allow the stacking of only 3 vehicles. Furthermore, customers using this drive-thru lane will be forced to make a U-turn to enter the site or forced to cross the on-coming traffic lane. Therefore, staff can support the design review with conditions of approval to redesign the drive-thru facilities.

Public Works - Development Review

Waivers of Development Standards

Staff is unable to analyze the requested waivers as the plans contain significant errors that render the requested waivers insufficient.

Staff Recommendation

Approval of the zone change and design review; and denial of the waivers of development standards. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 6, 2019 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Redesign the drive-thru facilities so the entrances and exits do not conflict with on-coming traffic;
- Design review as a public hearing on final plans and any significant changes to plans;
- Design review as a public hearing on signage and lighting;
- Enhanced landscape buffers along the perimeters and street frontages, including detached sidewalks per plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate excess right-of-way on Rainbow Boulevard to accommodate a minimum 55 foot wide street section to the back of curb with additional right-of-way for a dedicated right turn lane, as required by Public Works - Design Division;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;

- If required by the Regional Transportation Commission, provide a standard combination bus turn out/right turn lane on the east side of Rainbow Boulevard as close as practical to Serene Avenue with provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on Rainbow Boulevard and provide a 5 foot by 50 foot bus shelter pad easement behind the sidewalk for the turnout shown on Blue Diamond Road.
- Applicant is advised that the plans and requested waivers are deficient, including, but not limited to, driveway approach and departure distances measured incorrectly and improvements are shown within NDOT's Blue Diamond Road right-of-way; that major revisions to the plans are necessary, which will result in the need for new land use applications; 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.

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 #0536-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: RAINBOW & BLUE DIAMOND SOUTHEAST
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLD 3 SUITE 577, LAS VEGAS, NV 89134**

01/08/19 PC AGENDA SHEET

COMPREHENSIVE SIGN PLAN
(TITLE 30)

SOUTHERN HIGHLANDS PKWY/ST ROSE PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0900-P8 WS TUSCAN HIGHLANDS, LLC:

USE PERMIT to increase freestanding sign height.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a roof sign, 2) increase sign area for freestanding signs; and 3) increase the number of freestanding signs.

DESIGN REVIEW for a comprehensive sign plan for an approved multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone.

Generally located on the east side of Southern Highlands Parkway and the south side of St Rose Parkway within Enterprise. SB/rk/ja (For possible action)

RELATED INFORMATION:

APN:

191-08-301-013

USE PERMIT:

Increase the height of a freestanding sign to 100 feet where 35 feet is allowed in residential development per Table 30.72-1 (a 186 % increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a 600 square foot roof sign where not permitted.
2. Allow freestanding sign area to 1,392 square feet where a maximum area of 1,149 square feet is permitted per Table 30.72-1 (a 22% increase).
3. Increase the number of freestanding signs to 2 where 1 is allowed in residential development per Table 30.72-1 (a 100% increase).

LAND USE PLAN:

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) -
RESIDENTIAL MEDIUM

BACKGROUND:

Project Description

General Summary

- Site Address: 12656 Southern Highlands Parkway
- Site Acreage: 15.2
- Project Type: Comprehensive sign plan

- Sign Height (feet): 20 and 100 (freestanding signage)/5 (project ID signage)/12 (roof signage)
- Sign (Square Feet): 1,392 (freestanding signage)/120 (project ID signage)/600 (roof signage)

Site Plan/History

The approved plans for this project depict a gated, multi-family apartment complex consisting of 302 units on 15.2 acres at a density of 20 dwelling units per acre. There is a mix of 2 and 3 story buildings throughout the site. There is 1 access point to the development from Southern Highlands Parkway to the west. The Southern Highlands Master Planned Community is typically regulated by Title 29 requirements; however, when the Master Developer "locked-in" their Code, the signage section was not included and is now regulated by the current Code (Title 30).

Signage

This request is for the entire site and depicts the location, height, square footage, and material being used. The sign types within this submittal package consist of (roof, freestanding, and project identification signs). The site has street frontage on 3 sides of the property. To the north is St Rose Parkway, to the east is I-15, and to the west is Southern Highlands Parkway. The roof sign is located on the east elevation of one of the approved 3 story apartment buildings facing I-15. There are a total of 2 freestanding signs and 2 project identification signs placed at various locations on the property.

Freestanding Signs

The waiver request associated with freestanding signage is to allow 2 proposed freestanding signs where 1 freestanding sign is allowed in a residential development and increase the freestanding sign area. One of the freestanding signs is located along I-15 and the other one is located over the main entry drive on Southern Highlands Parkway. The proposed freestanding sign along I-15 will be 100 feet in height due to grade differences, with an approximate sign area of 1,152 square feet. The second proposed freestanding sign is located over the main entry drive and is 20 feet in height with an approximate sign area of 240 square feet. The proposed freestanding sign along I-15 will consist of a hard face with internally illuminated channel lettering. The proposed freestanding sign, over the main entry drive, will consist of reverse-lit channel letters and wrought-iron accent pieces. The proposed signs have design elements that are compatible with the buildings for the approved multi-family apartment complex.

Project Identification Signs

The project identification signs are shown at 5 feet in height and approximately 60 square feet each. The sign materials consist of a decorative stone veneer surface base with lettering and cabinet that will be internally illuminated.

Roof Sign

The 600 square foot roof sign is located on the east elevation of one of the approved 3 story apartment buildings facing I-15. The roof sign will advertise lease space within the apartment complex and is 12 feet in height and 50 feet in length. The roof sign consists of a parapet wall with non-illuminated lettering.

Applicant's Justification

The applicant indicates that the proposed roof sign will be the main project identifier of lease space within the apartment complex. This sign has non-illuminated lettering that will not negatively impact the surrounding properties. As for the 100 foot high freestanding sign, the location is at the corner of St Rose Parkway and I-15, this sign sits well below the overpass as well as the traffic/roadway signs that sit atop of the right-of-way. The grade is approximately 30 feet below the overpass. The signs on top of the overpass are approximately 25 feet high. Therefore, the applicant finds that a 20 foot clearance from the top of the traffic signs to the bottom of the freestanding sign would be appropriate for good visibility (calculation: 30 foot grade difference + 25 foot roadway signs + 20 foot clearance + 24 foot sign face = 99 feet). Lastly, this site is zoned H-1 and due to the project being residential development it then falls under a more restrictive residential zoning requirement. Also, this project is adjacent to I-15 and there is a large casino property in close proximity with much larger signs.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400151 (UC-0483-16)	First extension of time for an on-premises consumption of alcohol with an outside patio in conjunction with an approved multi-family complex	Approved by PC	August 2018
UC-0483-16	Original request for an on-premises consumption of alcohol with an outside patio in conjunction with an approved multi-family complex with a design review for site modification to an approved community center and leasing office	Approved by PC	September 2016
ZC-0214-15	Reclassified the site to H-1 zoning with a use permit to allow multi-family development in an H-1 zone, variance to increase building height, and a design review for a multi-family development	Approved by BCC	June 2015
ZC-0588-05	Reclassified a portion of this site to R-3 zoning - expunged (this site only)	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project - Commercial Tourist	R-2	Subdivided & undeveloped
South	Major Development Project - Residential Medium	R-3	Single family residential & undeveloped
East*	Public Facility	P-F	Transportation facility for the school district
West	Major Development Project - Residential Medium	R-3	Single family residential & undeveloped

*Immediately to the east is I-15 South.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

The grade of the site is 30 feet below the top of the overpass which impacts sight visibility for identification and advertisement of the development. However, staff finds the applicant has not provided information to demonstrate that an increase to 100 feet is needed based on the location of the sign. Staff understands that an increase in height would be needed due to grade differences, the height of the sign face, and additional clearance over the top of the roadway. However, in addition to the heights mentioned directly above, an additional 25 feet is being requested by the applicant due to roadway signs on top of the overpass. Staff conducted a field visit and found that the number of roadway signs in this area is minimal and does not substantiate the additional 25 foot request. Therefore, the proposed sign height is excessive and not compatible with surrounding area.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff finds the proposed roof sign is out of character for the area. The proposed sign does not comply with Urban Land Use Policy 20 of the Comprehensive Master Plan which encourages all signage to be compatible with building styles on-site and also with surrounding development. The proposed sign is intended to increase exposure for 1 business located along I-15. Approval of this request could lead to a proliferation of similar requests on the adjacent parcels. Therefore, staff does not support this portion of the request.

Waivers of Development Standards #2 and #3

Staff finds the sign package submitted with this request as it pertains to sign area and number of freestanding signs meets most regulations and provisions under Title 30 and will be constructed of material consistent with the project's overall design theme. Staff typically does not support requests for additional area and signage; however, this project is over 15 acres in size and the signs are not in close proximity to each other; therefore, staff can support this portion of the request.

Design Review

Some of the proposed signs have design elements that are compatible with the buildings on-site. However, staff does not support the use permit and waiver of development standards #1, and therefore, does not support the design review.

Staff Recommendation

Approval of waivers of development standards #2, and #3; and denial of the use permit, waiver of development standards #1, and the design review.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Maximum height for freestanding sign along I-15 to be 75 feet.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified, and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: P8 WS TUSCAN HIGHLANDS, LLC

CONTACT: MARK WHITEHOUSE, HIGH IMPACT SIGN AND DESIGN, 820 S. WIGWAM PARKWAY #100, HENDERSON, NV 89014

01/08/19 PC AGENDA SHEET

HOME OCCUPATION
(TITLE 30)

WINDMILL LN/GILESPIE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0907-TEACHERS APPLE PRE-SCHOOL INC:

USE PERMITS for the following: 1) allow a home occupation to be conducted outside; 2) allow more than 1 student at a time for a proposed home occupation (dog training); 3) allow an employee other than family members; and 4) allow an existing accessory structure (storage container) not architecturally compatible with the principal dwelling in conjunction with an existing single family residence on 1.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Windmill Lane and the east side of Gilespie Street within Enterprise. SS/rk/ja (For possible action)

RELATED INFORMATION:

APN:

177-09-805-008; 177-09-805-009 pu.

USE PERMIT:

1. Allow a home occupation (dog training) to be conducted outside where not permitted per Table 30.44-1.
2. Allow up to 20 students at a time for a home occupation where a maximum of 1 student is permitted at a time per Table 30.44-1 (1,900% increase).
3. Allow an employee who is not a family member where on-site employees shall be family members per Table 30.44-1.
4. Allow an existing metal storage container to not be architecturally compatible with the principal dwelling per Table 30.44-1.

LAND USE PLAN:

ENTERPRISE - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 210 E. Windmill Lane
- Site Acreage: 1.8
- Project Type: Home occupation for a dog training facility
- Accessory Building Height (feet): 10
- Square Feet: 320

Request

This request is to allow a dog training business as a home occupation in conjunction with an existing single family residence. Per Table 30.44-1, home occupations are required to be conducted inside a building and no more than 1 student is permitted at the residences at one time. This request is to allow a portion of the training to be conducted outside within the rear yard of the applicant's residence and his adjacent neighbor's rear yard. Additionally, code only allows family members as employees. The applicant is requesting one employee, and up to 20 dogs on the property at a time.

Site Plans

The plans depict an existing single family residence on a corner lot. Records indicate that the residence was constructed in 1974. Access to the site is provided by an existing large circular driveway from Windmill Lane on the south side of the property. The existing residence is located towards the southerly portion of the site and faces Windmill Lane. The outside training area mostly consist of grass and is located in the rear yards of two properties (the applicant's property and the landlord's property directly to the east). The entire outside training facility is secured by a 6 foot high chain link fence. The outside training area is set back approximately 40 feet from the closest residence to the north and all other developed residences located on the adjacent properties are more than 100 feet from the outside training area. The plans indicate that the existing driveway of the property can provide on-site parking for up to 6 or more vehicles.

Landscaping

No changes are proposed or required in conjunction with this request.

Elevations

Photographs indicate the existing residence is 1 story with a pitched roof, asphalt shingles, and the exterior walls consist of decorative wood siding with brick accents. The storage container is 10 feet in height and painted light tan in color.

Floor Plans

No changes are proposed to the interior of the existing residence. The residence has an area of 2,700 square feet with a garage. The garage will be used for indoor training.

Applicant's Justification

The applicant indicates that they have been conducting a dog training business at their residence and did not know they were in violation of any County regulations until a complaint was filed with the Clark County Public Response Office. The applicant indicates that they have been in contact with adjacent neighbors to discuss this request. After speaking with neighbors their main concern is when the applicant works with law enforcement and military K9's, blanks are shot in order to simulate a "real life" situation. The applicant indicates in order to limit the impact of the business on the neighbors this will no longer take place during his training sessions. Generally 1 dog is trained at a time; but, the applicant would like to be allowed to train up to 10 to 20 dogs in group sessions in the future. Typically, there will be more than one class per day, at maximum of 5 days per week with classes being conducted between 6:00 a.m. and 10:00 p.m. The applicant has been training dogs for over 30 years and specializes in obedience, protection, sport, and narcotic/explosive detection.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E/RNP-I	Single family residence
South	Office Professional	C-P	Undeveloped
East	Office Professional	R-E	Single family residence
West	Office Professional	R-E	Undeveloped

Clark County Public Response Office (CCPRO)

Case #18-05862 is an active complaint filed on the property for running a dog training business out of the home, including blanks being shot for law enforcement and military K9's.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permits #1 through #3

No modifications are proposed to the existing residence and the property will continue to maintain a residential appearance. This site is located in a rural area where greater separation is provided between the residences. The applicant, in his justification letter, indicates steps will be taken to prevent the use from being a nuisance. According to the applicant, they have been in contact with adjacent neighbors to discuss this request. However, staff is concerned with the scope of this request. Staff finds that small training sessions during the week would have limited impacts on the area. The approval of this request could result in an increase in traffic to the area and noise issues with multiple barking dogs. Staff can support the request with a limit on the number of dogs permitted per training session, the limit on the hours of operation, and a time limit for review to determine if the use has caused any adverse impacts on the neighborhood.

Use Permit #4

Staff cannot support the request to have a non-decorative metal storage container visible from Gillespie Street. The storage container is in the (side) rear yard, set back 10 feet from the public right-of-way and enclosed with a 6 foot high chain link fence. Code requires that accessory structures on-site should incorporate decorative materials to allow for a cohesive architectural design that would unify the overall site. The request does not comply with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses. Therefore, this structure is not compatible with the residence and is a self-imposed hardship which staff cannot support.

Staff Recommendation

Approval of use permits #1 through #3; and denial of use permit #4.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

- 1 year to commence and review as a public hearing;
- Maximum of 6 dogs per training session;
- Upon demonstrating that the use has not caused an adverse effect to the area, the number of dogs per training session may be requested with a future application for review request;
- Training sessions to be conducted weekdays between 9:00 a.m. and 8:00 p.m. only;
- No training activities such as mock explosives or shooting blanks at any time;
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Execute a Restrictive Covenant Agreement (deed restrictions).

Southern Nevada Health District (SNHD) Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (703) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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: HUMBERTO BOBADILLA

CONTACT: HUMBERTO BOBADILLA, 210 E. WINDMILL LANE, LAS VEGAS, NV 89123

01/08/19 PC AGENDA SHEET

SUPPER CLUB/OUTSIDE DINING
(TITLE 30)

BLUE DIAMOND RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0910-BLUE DIAMOND M-E, LLC & ALBERTSON'S, LLC LEASE:

USE PERMITS for the following: 1) supper club; and 2) outside dining in conjunction with an existing restaurant on a portion of a 32.1 acre shopping center in a C-2 (General Commercial) Zone and P-C (Planned Community Overlay District) Zone in the Mountain's Edge Master Planned Community.

Generally located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. SB/rk/ja (For possible action)

RELATED INFORMATION:

APN:

176-21-717-012 ptn

USE PERMITS:

1. Reduce the required setback from an on-premises consumption of alcohol establishment (supper club) to a residential use to 20 feet where 200 feet is the standard per Table 30.44-1 Mountain's Edge locked-in code (an 90% reduction).
2. Reduce the setback from an outside dining and drinking establishment (Shops 8B) to a residential use to 22 feet where 25 feet has been approved (a 12% reduction), and where 100 feet is the standard per Table 30.44-1 Mountain's Edge locked-in code (an 80% reduction).

LAND USE PLAN:

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (MOUNTAIN'S EDGE) - GENERAL COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7755 Blue Diamond Road
- Site Acreage: 32.1 (portion)
- Project Type: Supper club and outside dining/drinking
- Number of Stories: 1
- Square Feet: 2,953
- Parking Required/Provided: 1,025/1,335

Site Plan

The supper club and outside dining area are located within a large commercial center. The shopping center contains an anchor store, retail shops, and various smaller in-line shops and pad site buildings. The supper club and outside dining area is located in one of the in-line retail buildings (Shop 8B) that is orientated north towards Blue Diamond Road, just east of an existing apartment complex. The reduced separation between the proposed uses and apartment complex to the west is what necessitates the use permit. Along the west property line there is an existing tiered wall with landscaping that separates the commercial building from the apartment complex. The approximate 450 square foot, outside dining area is located on the north side of the subject restaurant within an open plaza area. An existing 3.5 foot high wrought iron fence fully encloses the outside dining area. All sides of the patio will meet the required 48 inch wide pedestrian access area around outside dining. The subject building shares parking and access with the remaining commercial center.

Landscaping

The existing landscaping on-site will remain unchanged. There is a continuous 9 foot high tiered block wall located between the building and residences to the west. The plant material for this buffer consists of small trees, shrubs, and groundcover.

Elevations

The photographs show a single story building with storefront window treatments, stucco walls with stone veneer accents, concrete tile roof elements with parapet walls, and a wooden trellis entry. A 3.5 foot high wrought-iron fence will separate the outside dining area from the remaining portions of the existing patio area. No changes to the exterior of the building are required or proposed with this request.

Floor Plans

The plans depict a 2,953 square foot lease space that will consist of a sitting/dining area, kitchen, bar area, storage, and restrooms. The plans also show an approximate 450 square foot outside dining/drinking area with tables and chairs. The primary access to the outside dining/drinking area will be from inside the existing restaurant.

Applicant's Justification

The applicant indicates that by adding a supper club license with outside dining will improve the selection of restaurants and bars in the surrounding area. The establishment will have outstanding cuisine and a world class bar program utilizing local beer and liquor. There is an existing tiered wall between the shopping center and residences to the west. The applicant states that the intended hours of operation shall be Monday through Sunday 11:30 a.m. to 10:00 p.m.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0678-16	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B), reduced the separation from a convenience store to a residential use, reduced the separation from a vehicle wash facility to a residential use, allowed a vehicle repair facility in a C-2 zone, waivers to allow a talk box for a drive-thru service to face adjacent residential use, and reduced the separation from a vehicle repair facility to a residential use	Approved by BCC	November 2016
WS-0501-16	Waived the separation between monument type signage, and a design review for an overall sign plan for the commercial development	Approved by BCC	September 2016
ZC-0043-16	Reclassified a portion of this site (2.5 acres) to C-2 zoning for supper club in conjunction with a restaurant, a convenience store with gasoline sales, and vehicle car wash, and a use permit for the reduction in the separation from a supper club to a residential use (at another location)	Approved by BCC	March 2016
UC-1433-06	Redesign of a mixed use project	Approved by BCC	December 2006
ZC-1004-05	Reclassified portions of the property to C-2 zoning for a mixed use development	Approved by BCC	August 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, and East	Major Development Project – General Commercial	C-2	Mix of developed & undeveloped commercial properties
West	Major Development Project – General Commercial	C-2	Apartment complex

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permit #1

Staff finds that a similar use was approved at a different location within the same shopping center. While staff is typically concerned with the 90% reduction in setback of the supper club from the residential use, the entrance to the proposed supper club is oriented on the north side of the building away from the residential use. Since the use will be in the interior of the building, staff does not anticipate any negative impacts to the adjacent neighboring residence. Therefore, staff can support the supper club.

Use Permit #2

A similar request for outside dining and drinking has been approved for this in-line building (Shop 8B) in the past. There is an existing 9 foot high tiered block wall that exists between the building and residences to the west. The existing restaurant is not a large scale business and the relatively small size of the outside dining area should not have negative impacts on the neighboring properties. Therefore, given the past history of a similar use approved at this location and the circumstances mentioned above, staff can support both requests.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANDREW HOOPER
CONTACT: ANDREW HOOPER, ENOTECA WEST, LLC, 9815 PROUD CLARION
STREET, LAS VEGAS, NV 89178

DRAFT

01/08/19 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

PAMALYN AVE/CAMERON ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-18-0889-TIDD, DAVID ALAN & BARBARA JO:

VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Cameron Street and Rogers Street (alignment) within Enterprise (description on file). SS/tk/ja (For possible action)

RELATED INFORMATION:

APN:
177-06-201-023; 177-06-201-039 through 177-06-201-041

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

BACKGROUND:

Project Description

The applicant is requesting to vacate and abandon a 33 foot wide patent easement located on the east property line, and the 3 foot wide leftover portion of the remaining patent easements located on the north and west sides of the subject parcel. This request will assist in the future developments of the subject parcels.

Prior Land-Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified from R-E to R-E zoning with RNP-I overlay district	Approved by BCC	October 2005
ZC-0826-95	Zone change from R-E to M-1 zoning	Denied by BCC	August 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East & West	Rural Neighborhood Preservation	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID ALAN

CONTACT: PER4MANCE ENGINEERING, LLC, 9345 W. SUNSET RD, SUITE 101, LAS VEGAS, NV 89148

01/08/19 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

CONCEPCION CT/PIZZO FERRATO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0878-CENTURY COMMUNITIES OF NEVADA, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards for a residential lot; and 2) increase wall height.

DESIGN REVIEW for building orientation of 1 proposed single family residence in conjunction with a previously approved single family residential development on 0.2 acres in an R-2 (Medium Density Residential) Zone in the MUD-3 Overlay District.

Generally located on the south side of Concepcion Court, 210 feet east of Pizzo Ferrato Street within Enterprise. SB/gc/ja (For possible action)

RELATED INFORMATION:

APN:

191-05-219-054

WAIVERS OF DEVELOPMENT STANDARDS:

1. Establish alternative yards for a proposed single family residence where yards are established per Chapter 30.56.
2. Allow a solid 6 foot high block wall within a portion of the front yard (within 15 feet of the front property line) where a maximum 5 foot high decorative fence is permitted per Table 30.64-1.

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3023 Concepcion Court
- Site Acreage: 0.2
- Project Type: Establish alternative yards
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 1,735

Site Plan & Request

The plans show an approved 67 lot, single family residential development where the applicant is requesting to establish alternative yards for 1 of the residential lots, specifically Lot 54. The proposed home would be oriented so that the length of the home is parallel to the street and the front faces what would traditionally be a side property line (west). The reorientation of the home will establish alternative yards since the traditional front yard as established per Chapter 30.56 will now be considered a side yard. Through the establishment of the alternative yards, the proposed home will comply with all bulk regulations for required setbacks as follows: 1) 32 foot front yard (west) setback; 2) 10 foot (north) and 17 foot (south) side yard setbacks; and 3) 30 foot (20 foot patio) rear yard (east) setbacks.

Landscaping

Since the establishment of alternative yards will orient the home so that the length of the home is parallel to the street and the front faces what would traditionally be a side property line, portions of a block wall, which is now within the proposed front yard, is constructed as a solid 6 foot high block wall. No changes are proposed to the approved landscaping.

Elevations

The plans depict a 2 story, 26 foot high, single family residence with architectural elements on all sides of the home. Building materials consist of stucco, wrought iron, tile accents, foam pop-outs, and concrete roof tiles.

Floor Plans

The plans show a 1,735 square foot, single family residence that measures 30 feet in width by 45 feet in length. The model has options for patios and media niches which may further increase the area of the model. The plans depict the model will have a 2 car garage.

Applicant's Justification

The applicant states that the proposed home orientation will meet all required setbacks for the alternative yards, and that the proposed solid block wall will allow for additional security and privacy.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0602-17	Reclassified the site from R-E to R-2 zoning for a single family residential development	Approved by BCC	September 2017
DA-0603-17	Development agreement to add a parcel of land to the Southern Highlands Master Plan Community	Withdrawn	September 2017
TM-0124-17	Single family residential development	Approved by BCC	September 2017
VS-0604-17	Vacated and abandoned easements and a portion of right-of-way being Rampoldi Road	Approved by BCC	September 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 to 18 du/ac)	R-2	Undeveloped lots within same subdivision
South	Major Development Project	R-2	Single family residences
East	Commercial Tourist	R-E & C-1	Interstate 15 & undeveloped

The site and the properties to the north, east, and west are within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff can support the waiver of development standards as requested since the alternative proposed by the applicant mitigates any potential impact of the relaxed standard. The applicant has provided for the reorientation of the proposed home with alternative yards that are consistent with yards on adjacent developed parcels. The proposed 17 foot side setback from the south property line will also exceed the typical 15 foot rear setback that would normally be required with a traditional lot orientation. Similar requests have been approved with no known adverse impacts to the adjacent properties.

Waiver of Development Standards #2

Staff finds that the proposed wall will not adversely impact the adjacent parcel to the west since the wall will provide additional security and privacy since the wall screens the rear and side yards of the adjacent parcel to the west. Similar requests have been approved for other residential developments in Clark County.

Design Review

The design and alternative yards are consistent and compatible with approved and planned land uses in the area and staff finds that the project complies with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. The design of the home complies with Urban Specific Policy 43 by providing architectural elements on all sides of the building. Therefore, staff recommends approval of this request.

**Staff Recommendation
Approval.**

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CENTURY COMMUNITIES OF NEVADA, LLC

CONTACT: CHELSEA JENSEN, SLATER HANIFAN GROUP, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118

01/08/19 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

DESERT PALM DR/HAVEN ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-0880-J G FAMILY TRUST & GOLSHAN, JOSEPH TRS:

WAIVER OF DEVELOPMENT STANDARDS for alternative residential driveway geometrics for lots within an approved single family residential development on 2.6 acres in an R-3 (Multiple Family Residential) Zone within the MUD-1 Overlay District.

Generally located on the south side of Desert Palm Drive and the west side of Haven Street within Enterprise (description on file). SS/pb/ja (For possible action).

RELATED INFORMATION:

APN:
191-04-301-002

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the separation between residential driveways to the back of curb radius of street intersections for 4 lots within an approved residential development to zero feet where a minimum of 12 feet is required per Uniform Standard Drawing 222 (a 100% reduction).

LAND USE PLAN:
ENTERPRISE – RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description
General Summary

- Site Address: 57 Desert Palm Drive
- Site Acreage: 2.6
- Number of Lots: 22
- Density (du/ac): 8.6
- Minimum/Maximum Lot Size (square feet): 2,959/3,983 (net/gross are the same)
- Project Type: Reduce the separation between single family residential driveways to a street intersection

Site Plans & Request

The approved plans for the single family residential development depict 22 lots on 2.6 acres with a density of 8.6 dwelling units per acre. The approved plans depict 15 lots with access to a private street that is 43 feet wide with a 5 foot wide sidewalk on 1 side of the street. The remaining 7 lots will front and have direct access to Desert Palm Drive. The private street connects to Haven Street which is a public street.

This request is for 4 lots to reduce the separation between the residential driveway and the back of the curb radius for the corner lots within the development to distances between zero and 9.12 feet. Lots 9 and 10 are located on the northeastern and northwestern corners of the intersection of 2 private streets located in the interior of the development on the western portion of the site. The separation for both of these driveways will be zero feet. Lot 15 is located at the entrance of the development on the northwestern corner of the intersection of the private street designated Palm Park Drive and Haven Street. The separation for this driveway is 2.47 feet (a 79.4% reduction). Lot 16 is located on the southwestern corner of the intersection of Desert Palm Drive and Haven Street. The separation for this driveway is 9.12 feet (24% reduction). House plans were approved with the original application for the project, (ZC-18-0487) and no changes are proposed to these plans.

Landscaping

The approved plans depict a 6 foot wide landscape area with an attached sidewalk along Haven Street. The lots along Desert Palm Drive will front and access the street.

Applicant's Justification

The applicant indicates the request is justified due to the low volume of traffic that will be generated by 15 lots on a dead end street.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0487	Reclassified the site from R-E to R-3 zoning for a proposed single family residential development	Approved by BCC	August 2018
VS-18-0488	Vacated and abandoned easements on the site	Approved by BCC	August 2018
TM-18-500115	22 single family residential lots and common	Approved by BCC	August 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential High (8 to 18 du/ac)	R-3	Single family residential
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

This property and the immediate area are located within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current 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.

Public Works - Development Review

Staff finds the requested waiver to reduce the distance from the back of curb radius (BCR) to the driveway to be a self-imposed hardship. The applicant was advised several months ago with the original land use entitlements that Lots 15 and 16 were not large enough to meet the standard. Instead of reconfiguring the layout to allow the minimum standard to be met, the applicant is suggesting that, with no justification provided, the standard should not have to be satisfied. Since both of these lots are adjacent to Haven Street, which serves as a minor residential collector street, compliance with the standards is of the utmost importance to ensure that those wishing to gain access to the driveways on Lots 15 and 16 can do so safely.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that 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

- The Waiver of Development Standards applies to Lots 15 and 16 only as shown on the plans on file.

Southern Nevada Health District (SNHD) - Septic

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

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SUMMIT HOMES OF NEVADA

**CONTACT: JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,
LAS VEGAS, NV 89118**

DRAFT

01/08/19 PC AGENDA SHEET

PATIO COVER SETBACK
(TITLE 30)

STAR DIAMOND CT/LA CIENEGA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0883-HICKMAN, JAMES JAY JR & LINDA MARIE LIVING TRUST, ET AL:

WAIVER OF DEVELOPMENT STANDARDS to reduce rear setback for a patio cover in conjunction with an existing single family residence on 0.3 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the south side of Star Diamond Court and 86 feet west of La Cienega Street within Enterprise. SS/jor/ja (For possible action)

RELATED INFORMATION:

APN:

177-33-810-013

WAIVER OF DEVELOPMENT STANDARDS:

Reduce rear setback for a patio cover to 5 feet where 7 feet is required per Table 30.40-1 (a 29% decrease).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 237 Star Diamond Court
- Site Acreage: 0.3
- Project Type: Patio cover rear setback
- Building Height (feet): 10 (patio cover)
- Square Feet: 280

Site Plan

The site plan depicts an existing single family residence with an area of 2,412 square feet. The front of the residence faces Star Diamond Court, and the property is 86 feet west of La Cienega Street. The site plan proposes a patio cover with an area of 280 square feet which will be attached to the southwest corner of the residence (in the rear yard). The proposed patio cover will be set back 5 feet from the south property line, 10 feet from the west property line, and 53 feet from the east property line.

Landscaping

Existing landscaping will remain on-site, and changes to the landscaping are not a part of this request.

Elevation

The elevation plan depicts a proposed patio cover constructed of neutral colored Alumawood and attached to the rear of the existing residence with support posts affixed to concrete footings. The maximum height of the patio cover is 10 feet and slopes down to the south property line at 9 feet 4 inches. The existing block wall along the south property line has a maximum height of 10 feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed patio cover would allow the residents to entertain guests and fully utilize the backyard while providing shade. Per the applicant, the block wall along the south property line is 10 feet in height and will not be a visual hindrance to the surrounding neighbors. The applicant also provided signed letters of approval from their surrounding neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0639-15	Reduced front setback and off-site improvements and waiver of conditions of a zone change and tentative map (ZC-0061-15 and TM-0017-15) requiring full off-site improvements	Approved by BCC	November 2015
VS-0560-15	Vacated and abandoned patent easements – recorded	Approved by PC	October 2015
TM-0017-15	20 single family residential lots	Approved by BCC	May 2015
ZC-0061-15	Reclassified a 7.4 acre portion of 19.7 acres from R-E RNP-I to R-D zoning, waiver for increased cul-de-sac length, and design review for a single family residential development – zoning permanent	Approved by BCC	May 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, South, & East	Residential Low	R-D	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff determines that the Clark County Comprehensive Urban Specific Policy 39 encourages appropriate buffers and setbacks with single family residential developments. Table 30.40-1 allows a setback reduction for patio covers to 12 feet in the R-D zone and further to 7 feet when the property is not within a RNP (Rural Neighborhood Preservation) area. Although the request is to reduce the rear setback to 5 feet where 7 feet is required per Title 30, staff believes this is not an excessive request. The block wall along the south property line has a maximum height of 10 feet. The proposed patio cover does not exceed the height of the rear block wall, it meets the interior side setbacks on the east and west sides of the property and the patio cover is only 14 feet wide. The applicant also provided signed letters of approval from their adjacent and abutting neighbors. Staff finds the patio cover is architecturally compatible and cannot be seen from the right-of-way. Staff is in support of this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GENE LAMPKINS

CONTACT: GENE LAMPKINS, QUALITY PATIOS, INC., 6437 DELPHINIUM AVE, LAS VEGAS, NV 89108

DRAFT

01/09/19 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

FORT APACHE RD/GOMER RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400247 (NZC-0578-15)-KB HOME LV CUMBERLAND RANCH, LLC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 12.5 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone in the MND-3 Overlay District.

DESIGN REVIEW for a proposed single family residential development.

Generally located on the west side of Fort Apache Road and the north side of Gomer Road within Enterprise (description on file). SB/tk/ja (For possible action)

RELATED INFORMATION:

APN:

176-19-801-007; 176-19-801-008; 176-19-801-014; 176-19-801-019

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12.5
- Number of Lots: 72
- Density (du/ac): 5.8
- Minimum/Maximum Lot Size (square feet): 4,001/7,871 (gross/net same)
- Project Type: Single family residential
- Number of Stories: 2
- Building Height (feet): 29
- Square Feet: 2,080/2,439

Site Plans

The plans depict a proposed gated residential development on 12.5 acres totaling 72 single family lots and 4 common area lots. The density of the residential subdivision is 5.8 dwelling units per acre. The average lot size is shown at 4,560 square feet (gross and net lots areas are the same). The majority of lots will be served by 41 foot wide private streets which include a 4 foot wide sidewalk on 1 side of the street. The entry street is shown at 64 feet wide which includes a median and sidewalks on both sides of the street. There is 1 point of access from Fort Apache

Road to the east. Landscaping is shown along the perimeter street frontage of the subdivision. Internal to the site is one, 5,690 square foot community lot located near the main entry of the subdivision.

Landscaping

Street landscaping will consist of a 15 foot wide area which includes 5 foot wide detached sidewalks along Fort Apache Road and Gomer Road. The street landscaping along Chieftain Street will consist of a 6 foot wide area behind an attached 5 foot wide sidewalk. Internal to the site is one, 5,690 square foot community lot located near the main entry of the subdivision.

Elevations

The submitted plans propose 3 different floor plans with 3 elevation styles per floor plan. All of the models are 2 story homes at a maximum height of 29 feet and will have similar building materials consisting of stucco finished walls with decorative stone veneer accents, window articulation on all sides, with concrete tile roofs. Additionally, the proposed elevations depict either a front porch or balcony as the main front yard feature.

Floor Plans

The plans depict homes from approximately 2,080 square feet to 2,439 square feet. Most of the models have 4 to 5 bedrooms and 2 car garages.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-0578-15:

Current Planning

- A resolution of intent to complete construction in 3 years;
- Design review as a public hearing for significant changes to the plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to back of curb for Fort Apache Road, 45 feet for Gomer Road, 30 feet for Chieftain Street and associated spandrels;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to provide adequate fire lanes and access measuring 24 feet throughout the site on all drawings with compliance to 28 foot interior by 52 foot exterior turning radius.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of construction CCWRD will require estimated wastewater flow rates from all phases of the proposed project at build-out and submittal of civil improvement plans before sewer point-of-connection can be approved; and that all on-site sewers shall be public sewers for detached single family residential and shall meet all the requirements of CCWRD design and construction standards.

Applicant's Justification

The applicant is requesting this extension due to a change in ownership and the extensive reviews to the master plan amendment and technical drainage study. There have been several design issues that require proper coordination with Clark County Public Works and the developer.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0578-15	Reclassified 12.5 acres from R-E Zone to R-2 Zone with a design review for a proposed single family residential development	Approved by BCC	December 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Undeveloped
South	Residential Suburban	R-E	Undeveloped
East	Residential Medium & Commercial Neighborhood	RUD & C-1	Compact single family residential subdivision & undeveloped
West	Public Facilities & Residential Suburban	R-E	Undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed 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

or policies affecting the subject property. Since the original approval, the applicant has received approval for improvement plans (PW 18-14020) and the Final Map Mylar (NFM-15-500111) is under review and awaiting approval. The project has commenced construction and they are currently building on-site; however, due to the change of ownership and various extensive reviews of the drainage study and design changes that required coordination with Clark County Public Works they have been unable to complete the project. Therefore, staff can support an additional 2 years to complete.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until December 2, 2020 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: KB HOME LV CUMBERLAND RANCH, LLC
CONTACT: AMBER DOLCE, RCI ENGINEERING, 500 S. RANCHO DRIVE #17, LAS VEGAS, NV 89106

01/09/19 BCC AGENDA SHEET

BLUE DIAMOND & DURANGO
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-18-500216-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST:

TENTATIVE MAP consisting of 41 single family residential lots and common lots on 5.1 acres in an R-3 (Multiple Family Residential) Zone in the MUD-4 Overlay District.

Generally located 150 feet north of Blue Diamond Road, 1,000 feet west of Durango Drive within Enterprise. SB/gc/ja (For possible action)

RELATED INFORMATION:

APN:

176-20-601-004 & 005

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.1
- Number of Lots: 41
- Density (du/ac): 8.1
- Minimum/Maximum Lot Size (square feet): 3,256/6,117 (gross and net)
- Project Type: Single family residential

The plans depict a gated single family residential development consisting of 41 residential lots and 8 common element lots at a density of 8.1 dwelling units per acre. Both gross and net lot sizes range from a minimum of 3,256 square feet to a maximum of 6,117 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, and 38 foot wide private stub streets. Access to the project is provided from Blue Diamond Road via a 60 foot wide access easement. A total of 3,725 square feet of open space (pocket park) is provided within the eastern portion of the development.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0066	Reclassified the site from H-2 to R-3 zoning for a future residential development subject to a design review as a public hearing on final plans	Approved by BCC	April 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 to 18 du/ac)	R-3	Single family residences
South	Public Facilities	H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences

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

Related Applications

Application Number	Request
WS-18-0896	A waiver of development standards for reduced open space, alternative yards, and increased wall height; and design reviews for a single family residential development, building orientation, and increased finished grade is a companion item on this agenda.
VS-18-0898	A vacation and abandonment of government patent easements and an access easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval is contingent upon approval of WS-18-0896 and VS-18-0898.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Applicant shall secure a private grant from the Bureau of Land Management (BLM) through APN 176-20-601-014 for access to the proposed subdivision;
- Applicant shall provide access from the private grant to any adjacent parcels that are created with a BLM land sale or future subdivision map to limit access points to Blue Diamond Road.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

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 #0100-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: KB HOME

**CONTACT: THE WLB GROUP, INC., 3663 E. SUNSET ROAD #204, LAS VEGAS, NV
89130**

01/09/19 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION/
VEHICLE WASH
(TITLE 30)

LAS VEGAS BLVD S/STARR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0885-32 ACRES, LLC:

USE PERMITS for the following: 1) reduce the setback of a gasoline station from a residential use; and 2) allow a service bay door for a vehicle (automobile) wash to face a street.

DESIGN REVIEWS for the following: 1) convenience store; 2) gasoline station; and 3) vehicle (automobile) wash in conjunction with an approved commercial center on a portion of 4.4 acres in a C-2 (General Commercial) Zone in the MUD-1 and MUD-4 Overlay Districts.

Generally located on the northeast corner of Las Vegas Boulevard South and Starr Avenue within Enterprise. SS/gc/ja (For possible action)

RELATED INFORMATION:

APN:

177-33-401-006

USE PERMITS:

1. Reduce the setback of a gasoline station from a residential use to 156 feet where a minimum of 200 feet is required per Table 30.44-1 (a 22% reduction).
2. Allow a service bay door for a vehicle (automobile) wash to face a street (Las Vegas Boulevard South) where not permitted per Table 30.44-1.

LAND USE PLAN:

ENTERPRISE COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 30 E. Starr Avenue
- Site Acreage: 4.4 (portion)
- Project Type: Convenience store, gasoline station, & vehicle (automobile) wash
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 4,642 (convenience store)/3,990 (fuel canopy)/1,082 (vehicle wash)
- Parking Required/Provided: 85/120 (overall commercial center)

Site Plans

The plans show a proposed convenience store, gasoline station, and vehicle (automobile) wash located on the western portion of the parcel. An approved tavern (WS-0640-16) is located to the east and is centrally located on the parcel. The easternmost portion of the parcel is indicated for future development. The convenience store and vehicle (automobile) wash is one combined building located on the north half, and the fuel canopy (gasoline station) is located on the south half of the site. The fuel canopy is 156 feet from a residential use to the south across Starr Avenue. The vehicle wash is oriented in an east/west direction with a service bay door facing Las Vegas Boulevard South. The stacking lanes for the vehicle wash are located on the north and east sides of the convenience store. Access to the site is from 1 driveway off of Las Vegas Boulevard South and 2 driveways off of Starr Avenue. Future cross access is also provided with the adjacent parcel to the north. A total of 120 parking spaces are provided where a minimum of 85 spaces are required for the overall commercial center.

Landscaping

Street landscaping consists of a 10 foot wide landscape area with an attached sidewalk and bus turnout along Las Vegas Boulevard South, and a 15 foot wide landscape area with a detached sidewalk along Starr Avenue. A 10 foot wide intense landscape buffer per Figure 30.64-12 with an 8 foot high decorative block wall is located along the east property line.

Elevations

The plans depict a 1 story, 30 foot high, convenience store/vehicle wash building constructed of painted cement plaster, stone veneer, metal canopies, painted cornices and molding, and aluminum storefront glazing systems. The roof is a combination of pitched tile and flat parapet walls at various heights. The fuel canopy is 19.5 feet high and constructed of pre-finished metal with stone veneer columns.

Floor Plans

The plans show a 4,642 square foot convenience store consisting of a sales area, cashier area, beverage area, slot area, coolers, beer tavern, electrical room, office, and restrooms. The vehicle (automobile) wash is 1,082 square feet and includes an equipment room. The fuel canopy is 3,990 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that since the site is located at the intersection of 2 streets, the vehicle wash bay will inherently face a street. Furthermore, the vehicle wash has been placed at a location that allows for safe on-site circulation and off-site traffic flow. The driveway locations were previously approved by WS-0640-16.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0640-16	Reduced the separation between an intersection and a driveway; and design reviews for a retail center with a tavern and increased finished grade	Approved by BCC	December 2016
DR-1062-04	A retail center including a tavern – expired	Approved by BCC	July 2004
ZC-1252-03	Reclassified the site from H-2 to C-2 zoning for a retail center	Approved by BCC	September 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist & Office Professional	H-2	Undeveloped
South	Commercial Tourist	R-2	Single family residences
East	Residential Suburban (up to 8 du/ac)	R-1	Single family residences
West	Commercial Tourist	H-1	Undeveloped

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permit #1

Staff can support the request to reduce the separation between a gasoline station and a residential use. An arterial street (Starr Avenue) separates the gasoline station from the residential use to the south. Additionally, a 20 foot wide landscape/common area along the south side of Starr Avenue adjacent to the residential lots provide further buffering and separation distance. Furthermore, 24 inch box trees are planted on the site along Starr Avenue per ZC-1252-03 instead of the minimum 15 gallon trees Title 30 normally requires. Therefore, staff finds that the request will not adversely impact the residential properties to the south.

Use Permit #2

The driveway locations were established per WS-0640-16 where a waiver of development standards was approved to reduce the separation between the driveway on Las Vegas Boulevard South and the street intersection. Although a waiver was approved, the driveway was located as far north as possible in order to create as much separation as possible. The vehicle wash is located as far north as possible on the site in order to minimize any potential negative impacts to the abutting residential development to the south. However, this results in the service bay door being located directly across from the driveway on Las Vegas Boulevard South where it cannot be screened by street landscaping. Staff would prefer not to have the service bay door face south towards the residential developments, and staff finds that reducing potential adverse impacts to nearby residential properties should be a priority, as Community Design Policy 5 of the Comprehensive Master Plan states that development approval should be conditioned upon mitigation of identified land use incompatibilities. The service bay door is located 76 feet from the right-of-way of Las Vegas Boulevard South and Mexican Fan Palm trees are planted on both sides of the service bay door to soften its appearance. Therefore, staff can support the request.

Design Reviews

Staff finds that the request complies with Urban Specific Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. Architectural elements are provided along all sides of the building; therefore, the request complies with Urban Specific Policy 78 which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. Cross access is provided to the adjacent parcel to the north which complies with Urban Specific Policy 65 which encourages commercial development design that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce on-site and off-site traffic congestion and hazards. However, staff recommends that the provided cross access to the north be established farther to the east, as staff is concerned that establishing cross traffic near the driveway entrance to the site and where the vehicle wash exits will create on-site traffic circulation issues.

Public Works - Development Review

Design Reviews:

Staff finds that the proposed plans create an unsafe situation on the northwest corner of the site. The lack of throat depth, the immediate cross access point, the location of the trash enclosure, and the car wash exit all have the potential to individually create vehicular conflict, and when considered as a whole, the danger increases exponentially. Staff recommends that the design review be denied so the applicant can present a safer option. Additionally, there are numerous items on the plans that are non-compliant with adopted Public Works' standards, which will create the need for additional land use applications.

Staff Recommendation

Approval of the use permits; and denial of the design reviews.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Mexican Fan Palms shall be planted on both sides of the vehicle wash exit as depicted per plans;
- Cross access with the adjacent property to the north shall be established farther to the east, so as to not interfere with the driveway entrance from Las Vegas Boulevard South and the exit for the vehicle wash;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 5 additional feet for Starr Avenue together with any additional area that may be necessary for a dedicated right turn lane, as required by Public Works - Development Review, right-of-way for Las Vegas Boulevard South per Record of Survey RS-16-500140, and the associated spandrel;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the plans do not correctly reflect throat depth at any of the driveway locations; that sidewalks must continue to the point of curvature on a curb return driveway; that the right-of-way at the intersection must have a radius of 30 feet to the back of curb and 54 feet at the property line; that all driveways must comply with Uniform Standard Drawings 222.1 and 225, unless previously waived; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0650-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: TERRIBLE HERBST, INC.

CONTACT: CHRIS RICHARDSON, RICHARDSON WETZEL ARCHITECTS, 4300 E. SUNSET ROAD, SUITE E-3, HENDERSON, NV 89014

DRAFT

01/09/19 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-18-0898-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST, ET AL:

VACATE AND ABANDON easements of interest to Clark County located between Agate Avenue and Blue Diamond Road, and between Durango Drive and El Capitan Way within Enterprise (description on file). SB/gc/ja (For possible action)

RELATED INFORMATION:

APN:

176-20-601-004, 005; & 014

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide government patent easements around the perimeter of APN's 176-20-601-004 & 005. The plans also depict the vacation and abandonment of a BLM access easement on APN 176-20-601-014 that connects the 2 northern parcels to Blue Diamond Road. The applicant states that the BLM access easement will be realigned to meet the design needs of the proposed single family residential development on the 2 northern parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0066	Reclassified the site from H-2 to R-3 zoning for a future residential development subject to a design review as a public hearing on final plans	Approved by BCC	April 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 to 18 du/ac)	R-3	Single family residences
South	Public Facilities	H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences

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

Related Applications

Application Number	Request
WS-18-0896	A waiver of development standards for reduced open space, alternative yards, and increased wall height; and design reviews for a single family residential development, building orientation, and increased finished grade is a companion item on this agenda.
TM-18-500216	A tentative map for 41 single family residential lots and common element lots is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of the public right-of-way grant through the Bureau of Land Management parcel to the subject parcels since the applicant proposes to replace it with a private grant that will access the gated subdivision. In order to limit the number of access points on Blue Diamond Road, staff recommends that the applicant be required to provide access to the east and west of the grant area, as would have been permitted if it remained public.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Vacation shall not record prior to the applicant securing a private grant from the Bureau of Land Management (BLM);

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording; Applicant shall secure a private grant from the BLM through APN 176-20-601-014 for access to the proposed subdivision;
- Applicant shall provide access from the private grant to any adjacent parcels that are created with a BLM land sale or future subdivision map to limit access points to Blue Diamond Road.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KB HOME

CONTACT: THE WLB GROUP, INC., 3663 E. SUNSET ROAD #204, LAS VEGAS, NV 89120

DRAFT

01/09/19 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0896-KHARAGHANI ROYA FALAHI & SOLTANMORAD FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce open space; 2) establish alternative yards for residential lots; and 3) increase wall height.

DESIGN REVIEWS for the following: 1) a single family residential development; 2) building orientation of 2 proposed single family residences; and 3) increased finished grade on 5.1 acres in an R-3 (Multiple Family Residential) Zone in the MUD-4 Overlay District

Generally located 150 feet north of Blue Diamond Road, 1,000 feet west of Durango Drive within Enterprise. SB/gc/ja (For possible action)

RELATED INFORMATION:

APN:

176-20-601-004 & 005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce open space to 3,725 square feet where a minimum of 4,920 square feet is required per Table 30.40-3 (a 24.3% reduction).
2. Establish alternative yards for proposed single family residences where yards are established per Chapter 30.56.
3. Increase combined wall/retaining wall height to 12 feet (6 foot screen/6 foot retaining) where a maximum of 9 feet (6 foot screen/3 foot retaining) is permitted per Section 30.64.050 (a 33.3% increase).

DESIGN REVIEWS:

1. A single family residential development.
2. Building orientation of 2 proposed single family residences.
3. Increase finished grade up to 6 feet above the grade of an adjacent residential use where a minimum of 18 inches is permitted per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.1
- Number of Lots: 41
- Density (du/ac): 8.1
- Minimum/Maximum Lot Size (square feet): 3,256/6,117 (gross and net)
- Project Type: Single family residential
- Number of Stories: 1 and 2
- Building Height: Up to 27 feet 4 inches
- Square Feet: 1,453 to 2,469
- Open Space Required/Provided: 4,920 square feet/3,725 square feet

Site Plans

The plans depict a gated single family residential development consisting of 41 residential lots and 8 common element lots at a density of 8.1 dwelling units per acre. Both gross and net lot sizes range from a minimum of 3,256 square feet to a maximum of 6,117 square feet. The lots will be served by 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street, and 38 foot wide private stub streets. Access to the project is provided from Blue Diamond Road via a 60 foot wide access easement. A total of 3,725 square feet of open space (pocket park) is provided within the eastern portion of the development, where a minimum of 4,920 square feet is required. Increased combined wall/retaining wall height to 12 feet (6 foot screen/6 foot retaining) is requested along the north, east, and west property lines. The finished grade of the site may increase up to 6 feet; therefore, a design review is requested to increase finished grade.

The applicant is requesting to establish alternative yards for 2 of the residential lots, specifically Lot 8 and Lot 36. The front of the proposed homes on those lots face what would traditionally be a side property line. The establishment of the alternative yards would make the side property line into a front property line. Through the establishment of the alternative yards, the proposed homes will comply with all bulk regulations for required setbacks.

Landscaping

The plans show landscaping consisting of trees, shrubs, and groundcover within the common areas internal to the development. The 3,725 square foot pocket park within the eastern portion of the development includes a trail, bench, and artificial turf.

Elevations

The plans show 3, up to 27 feet 4 inch high, 2 story models; and 1, up to 14 feet 3 inch high, 1 story model. All models have 3 types of elevation designs. Building materials consist of stucco finish, stone veneer, decorative wrought iron, shutters, and concrete tile roofing.

Floor Plans

The plans depict homes ranging in size from 1,453 square feet to 2,469 square feet with 3 to 5 bedrooms, up to 3 baths, and up to 2 car garages.

Applicant's Justification

The applicant states that the increased finished grade and wall height are necessary since this is an infill project that is constrained on 3 sides by existing single family residential development and existing sanitary sewer facilities in Blue Diamond Road. The reduction in open space is warranted since the development is providing more private open space within individual lots than is required; therefore, off-setting the need for larger public open space areas.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0066	Reclassified the site from H-2 to R-3 zoning for a future residential development subject to a design review as a public hearing on final plans	Approved by BCC	April 3018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 to 18 du/ac)	R-3	Single family residences
South	Public Facilities	H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residences

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

Related Applications

Application Number	Request
TM-18-500216	A tentative map for 41 single family residential lots and common element lots is a companion item on this agenda.
VS-18-5898	A vacation and abandonment of government patent easements and an access easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff can support the request to reduce open space. The lot sizes proposed far exceed the minimum 1,800 square foot lot areas required for the R-3 zone, and even exceed (with the exception of 1 lot) the minimum 3,300 square foot lot areas required for the R-2 zone, where the R-2 zoning district does not require open space. Staff finds that the provided pocket park in combination with the larger lot sizes will provide adequate open space for the development.

Waiver of Development Standards #2

Staff can support the waiver of development standards for alternative yards as requested since the alternative proposed by the applicant mitigates any potential impact of the relaxed standard. The applicant has provided for the reorientation of the proposed homes with alternative yards that are consistent with yards on adjacent developed parcels. Similar requests have been approved with no known adverse impacts to the adjacent properties.

Waiver of Development Standards #3

Staff finds that the request for increased wall height may adversely impact the adjacent developed residential properties. Since the adjacent properties are on the low side of the wall, the adjacent residential properties will be looking directly at a 12 foot high solid wall that would be visually overbearing. The impacts are even greater to the existing residential development since the rear setbacks for that project were reduced to 10 feet through the planned unit development (PUD) process. The request does not comply with Urban Specific Policy 16 of the Comprehensive Master Plan which encourages designs to visually minimize the stark appearance of a monotonous block wall face.

Design Reviews #1 & #2

Staff finds that the proposed lot layout is compatible with the surrounding area. Architectural enhancements are provided on all sides of the proposed residences in compliance with Urban Specific Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that include varied setbacks from residences to front property lines, varied rooflines, and/or varied architectural elements on all sides. The building orientation and alternative yards for 2 lots of the project will not adversely impact the surrounding properties.

Public Works - Development Review

Design Review #3

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

Staff Recommendation

Approval of waivers of development standards #1 and #2, and the design reviews; and denial of waiver of development standards #3.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(7) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Applicant shall secure a private grant from the Bureau of Land Management (BLM) through APN 176-20-601-014 for access to the proposed subdivision;
- Applicant shall provide access from the private grant to any adjacent parcels that are created with a BLM land sale or future subdivision map to limit access points to Blue Diamond Road.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0100/2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KB HOME

CONTACT: MARK BANGAN, KB HOME, 5795 W. BADURA AVENUE #180, LAS VEGAS, NV 89118

DRAFT

COMMERCIAL CENTER
(TITLE 30)

CACTUS AVE/SCHIRLLS ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-18-0881-LV CACTUS SCHIRLLS, LLC:

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

WAIVER OF DEVELOPMENT STANDARDS for modified street standards.

DESIGN REVIEW for a commercial center.

Generally located on the northwest corner of Cactus Avenue and Schirlls Street (alignment) within Enterprise (description on file). SB/gc/ja (For possible action)

RELATED INFORMATION:

APN:
177-30-801-009

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the distance between a driveway along Schirlls Street and an intersection to 96 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 36% reduction).
- b. Reduce throat depth for a driveway along Schirlls Street to 14 feet where a minimum of 50 feet is required per Uniform Standard Drawing 222.1 (a 72% reduction).

LAND USE PLAN:
ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): 31
- Square Feet: 17,000
- Parking Required/Provided: 94/100

Site Plans

This is a conforming zone change request to reclassify the property from R-E to C-1 zoning. The plans show a proposed commercial center consisting of an in-line retail building along the north property line, a retail/restaurant building with drive-thru on the southwest portion of the site, and a restaurant building with a drive-thru on the southeast portion of the site. The drive-thru lanes wrap around the south, east, and north sides of each drive-thru building. Access to the site is from a shared driveway with the property to west off of Cactus Avenue, and from a driveway off of Schirlls Street. Cross access is provided with the adjacent parcel to the west. A total of 100 parking spaces are provided where a minimum of 94 spaces are required.

Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Cactus Avenue and an 8 to 10 foot wide landscape area with an attached sidewalk along Schirlls Street. A 10 foot wide intense landscape buffer per Figure 30.64-12 is provided along the north property line. The landscape palette consists of Blue Palo Verde, Lacebark Elm, and Mondell Pine trees, with various shrubs and groundcover.

Elevations

Both the in-line retail building and retail/restaurant building are 1 story, 31 feet high, and constructed of stucco finish, stone veneer, fabric awnings, corrugated metal awnings, aluminum wood trellises, and aluminum storefront systems. The roof is a combination of corniced parapet walls and pitched standing seam metal. The restaurant building is 1 story, 22.5 feet high, and constructed of stucco finish, stone veneer, aluminum storefront systems, perforated metal trellises, and fabric awnings. The roof is flat with parapet walls at varying heights. Architectural reveals are provided on all buildings on all elevations.

Floor Plans

The plans show an 11,000 square foot in-line retail building, a 3,000 square foot retail/restaurant building, and a 3,000 square foot restaurant building for an overall 17,000 square foot commercial center.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that an agreement was reached with the adjacent property to the west for the shared driveway to improve circulation on the site. The applicant also states that the location of the driveway on Schirlls Street will allow for a more efficient on-site circulation pattern and will keep traffic away from the residential to the north. The reduced throat depth for the driveway on Schirlls Street will not be an issue since the commercial center is small and Schirlls Street has a low amount of traffic. Furthermore, the applicant states that the proposed development is compatible with the surrounding area and will be an enhancement and asset to the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	R-E	Single family residences
South	Major Development Project	R-2	Single family residences
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
West	Commercial Neighborhood	C-1	Approved commercial center per ZC-18-0492

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The requested C-1 zoning conforms to the Enterprise Land Use Plan which designates this site as Commercial Neighborhood. Staff finds that the proposed zoning is compatible with the existing and approved land uses in the area. The adjacent property to the west was recently zoned C-1, and although the adjacent properties to the north are currently developed with single family residences, those properties are planned for Commercial Neighborhood uses. The site is also located on an arterial street (Cactus Avenue) which is conducive to commercial zoning. Therefore, staff can support the zone change request.

Waiver of Development Standards

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

Design Review

Staff finds that the request complies with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. An intense landscape buffer per Figure 30.64-12 is proposed along the north property line to screen and buffer the site from the residential to the north. Architectural elements are also provided along all sides of the buildings; therefore, the request complies with Urban Specific Policy 78 which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. Staff would recommend that a decorative low profile masonry wall be installed adjacent to the drive-thru lanes along Cactus Avenue to prevent headlights shining onto westbound traffic on Cactus Avenue.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the requested waiver for the driveway location and throat depth on Schirlls Street. The driveway location allows for a separation from the adjacent residential development and, due to the limited use of Schirlls Street, provides enough distance to the intersection with Cactus Avenue. Additionally, since Schirlls Street is a minor street and the site will have access from Cactus Avenue and Arville Street (via cross access), staff finds that there should be no negative impacts on traffic due to the reduced throat depth.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for signage and lighting;
- Provide a decorative low profile masonry wall (no higher than 3 feet) adjacent to the drive-thru lanes along Cactus Avenue to prevent vehicle headlights shining onto westbound traffic on Cactus Avenue;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Cactus Avenue, 30 feet for Schirlls Street, and the associated spandrel.
- Applicant is advised that minimum driveway widths of 32 feet are measured from the lip of gutter to the lip of gutter; that the driveway on Cactus Avenue may need to be increased to 36 feet in width based on the traffic study of off-site improvement plan review; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0651-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LV CACTUS SCHIRLLS, LLC

CONTACT: YIHONG LIU, YIHONG LIU + ASSOCIATES, 1669 HORIZON RIDGE PARKWAY, SUITE 120, HENDERSON, NV 89012

DRAFT



Enterprise Town Advisory Board

November 28, 2018

MINUTES

Board Members:	David Chestnut – Chair – PRESENT Cheryl Wilson – Vice Chair – PRESENT	Frank Kapriva – EXCUSED Jenna Waltho – PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com	
County Liaison:	Tiffany Hesser 702-455-7388 tlh@clarkcountynv.gov	

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

The meeting was called to order at 6:10 p.m.

Phil Blount, 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, 2018 Minutes (For possible action)

Motion by: David Chestnut

Action: **APPROVE** minutes for November 14, 2018 as published

Motion **PASSED** (3-0) / Unanimous

IV. Approval of Agenda for November 28, 2018 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

Motion **PASSED** (3-0) / Unanimous

Applicant requested **HOLDS**:

3. TM-18-500167-YI, SAM HEE: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.
4. TM-18-500168-ORENGIL, KIVANC: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.
5. VS-18-0696-YI, SAM HEE: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.
6. WS-18-0697-YI, SAM HEE: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.
7. WS-18-0698-ORENGIL, KIVANC: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.
23. UC-18-0754-CHURCH DEBRE BISLAT ST GABRIEL ETHIOPIAN O T : : Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018
26. VS-18-0755-CHURCH DEBRE BISLAT ST GABRIEL ETHIOPIAN O T ET AL : : Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018
30. WS-18-0823-LEGACY TRADITIONAL SCHOOLS-NEVADA INC.: Applicant requested **HOLD** to Enterprise TAB meeting on December 12, 2018.

Revised related applications:

2. ZC-18-0853-LV RAINBOW, LLC:
10. VS-17-0049-LV RAINBOW, LLC:

9. TM-18-500190-FIRECRACKER 1 AND 2 & MICH'L RON & CAROLYN; ET AL:
11. WS-18-0798-FIRECRACKER 1 AND 2 & MICH'L RON & CAROLYN:

18. DR-18-0866-LEWIS INVESTMENT COMPANY NEVADA, LLC:
22. TM-18-500208-LEWIS INVESTMENT COMPANY NEVADA, LLC:

19. ET-18-400235 (UC-0789-16)-MFE INC:
21. TM-18-500145-MFE, INC.:
29. WS-18-0766-MFE, INC.:

24. UC-18-0869-RAYNES GLENN & RENE M REV FAM TR & RAYNES GLENN TRS ET AL:
27. VS-18-0877-BOYER, JOHN W. & MACK PECOS, LLC ET AL:
28. WC-18-400241 (ZC-0532-04)-BOYER, JOHN W. & MACK PECOS, LLC ET AL:

V. Informational Items

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

1. Clark County Water Reclamation District is proposing changes to its Services Rules.
2. First Tuesday, December 3, 2018 with Las Vegas Metro Police Department, 6:00 p.m. Windmill Library 7060 Windmill, Lane Las Vegas, NV.

VI. Planning & Zoning

1. **ZC-18-0621-VACCARO, LOUIS & LINDA REV TRS:**
AMENDED HOLDOVER ZONE CHANGE to reclassify 2.4 acres from H-2 (General

Highway Frontage) Zone to C-1 (Local Business) Zone (previously notified as C-2 (General Commercial) Zone) in the MUD-3 Overlay District.

USE PERMITS for the following:

- 1) reduced separation from a convenience store to a residential use;
- 2) reduced separation from a gasoline station to a residential use;
- 3) reduced separation from a vehicle wash to a residential use (no longer needed);
- 4) allow a convenience store (previously not notified);
- 5) allow a gasoline station (previously not notified); and
- 6) allow alcohol sales, liquor – packaged only not in conjunction with a grocery store (previously not notified).

DESIGN REVIEWS for the following:

- 1) proposed convenience store;
- 2) proposed gasoline station;
- 3) proposed vehicle wash (no longer needed);
- 4) proposed retail building; and
- 5) proposed restaurant with a drive-thru (no longer needed).

Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise (description on file). SB/pb/ja (For possible action) 12/05/18 BCC

Motion by David Chestnut

Action: **HOLD** to December 12, 2018 Enterprise TAB meeting per applicant request to hold a neighborhood meeting.

Motion **PASSED** (3-0) / Unanimous

2. **ZC-18-0853-LV RAINBOW, LLC:**

ZONE CHANGE to reclassify 22.3 acres from R-E (Rural Estates Residential) Zone, R-E (Rural Estates Residential) (RNP-I) Zone, H-2 (General Highway Frontage) Zone, and H-2 (General Highway Frontage) (RNP-Zone to C-2 (General Commercial) Zone with a portion of the site within the MUD-4 Overlay District.

USE PERMIT for a mixed-use development.

WAIVERS OF DEVELOPMENT STANDARDS for the following:

- 1) allow commercial access to a residential local street; and
- 2) reduce throat depth.

DESIGN REVIEW for a proposed mixed-use development. Generally located between Blue Diamond Road and Raven Avenue, 300 feet west of Rainbow Boulevard within Enterprise (description on file). SB/jt/dg/ja (For possible action) 12/05/18 BCC

Motion by David Chestnut

Action:

APPROVE Zone Change to C-2:

DENY Use Permit

DENY Waiver of Development Standards

DENY Design Review

per staff conditions.

Motion **PASSED** (3-0) / Unanimous

ADD Current Planning conditions:

- Commercial square footage equal to 29% of the project apartment square footage.
- Apartment occupancy % cannot exceed occupancy % for commercial.

3. **TM-18-500167-YI, SAM HEE:**
HOLDOVER TENTATIVE MAP consisting of 23 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action) 11/20/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

4. **TM-18-500168-ORENGIL, KIVANC:**
HOLDOVER TENTATIVE MAP consisting of 75 single family residential lots and common lots on 12.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action) 11/20/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

5. **VS-18-0696-YI, SAM HEE:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Levi Avenue and Cactus Avenue, and between Durango Drive (alignment) and Rich Sands Street (alignment) within Enterprise (description on file). SB/al/ja (For possible action) 11/20/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

6. **WS-18-0697-YI, SAM HEE:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following:
1) single family residential development; and
2) increase finished grade for lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Cactus Avenue and Durango Drive (alignment) within Enterprise. SB/al/ja (For possible action) 11/20/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

7. **WS-18-0698-ORENGIL, KIVANC:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following:
1) single family residential development; and
2) increase finished grade on 12.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Durango Drive (alignment) and Erie Avenue (alignment) within Enterprise. SB/al/ja (For possible action) 11/20/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

8. **VS-18-0814-WARMINGTON RISE ASSOCIATES LP:**
VACATE AND ABANDON a portion of right-of-way being Rainbow Boulevard located between Windmill Lane and Shelbourne Avenue within Enterprise (description on file). SB/sd/ml (For possible action) 12/04/18 PC

Motion by Cheryl Wilson
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) / Unanimous

9. **TM-18-500190-FIRECRACKER 1 AND 2 & MICH'L RON & CAROLYN; ET AL:**
TENTATIVE MAP consisting of 50 single family residential lots on 28.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Le Baron Avenue and the east and west sides of Tenaya Way within Enterprise. SB/rk/ja (For possible action) 12/05/18 BCC

Motion by David Chestnut
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) / Unanimous

10. **VS-17-0049-LV RAINBOW, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Rainbow Boulevard and Montessouri Street (alignment) and a portion of right-of- way being Rosanna Street located between Raven Avenue and Agate Avenue (alignment) and a portion of right- of-way being Agate Avenue located between Rosanna Street (alignment) and Montessouri Street (alignment) within Enterprise (description on file). SB/dg/xx (For possible action) 12/05/18 BCC

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (3-0) / Unanimous

11. **WS-18-0798-FIRECRACKER 1 AND 2 & MICH'L RON & CAROLYN:**
WAIVERS OF DEVELOPMENT STANDARDS for the following:
1) modified landscape provisions specific to wall heights; and
2) reduced street intersection off-set.
DESIGN REVIEWS for the following:
1) proposed single family residential subdivision; and
2) increase the finish grade on 28.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Le Baron Avenue and the east and west sides of Tenaya Way within Enterprise. SB/rk/ja (For possible action) 12/05/18 BCC

The neighbors met with Paul Kenner representing the applicant. On November 18th. We appreciate his kindness in meeting with us and hearing our concerns. At that time Mr. Kenner made the following promises:

Motion by David Chestnut
Action: **APPROVE**
ADD Current Planning conditions:

- All the homes in this development will be single story;
- There will be no grade raises or retaining walls above street level on Penny Lane; only the 6-foot screen walls.

- On Bel Castro there will be no grade raise or retaining wall higher than 2 feet above street level; topped by a 6-foot screen well.
- On the exterior of the development 2.5 acres north of Gomer (facing the existing neighborhood), there will be no grade raise or retaining wall higher than 3 feet above street grade; topped by a 6-foot screen wall.
- All retaining walls along public streets will be decorative.

Per staff conditions.

Motion **PASSED** (3-0) / Unanimous

12. NZC-18-0865-LMG NEVADA LAND EXPANSION, LLC:

ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (AE-65) Zone to M-D (Designed Manufacturing) (AE-65) Zone.

DESIGN REVIEW for an office/warehouse building. Generally located on the northwest corner of Windy Street and Capovilla Avenue within Enterprise (description on file). SS/al/xx (For possible action) **12/18/18 PC**

Motion by Cheryl Wilson

Action: **APPROVE**

ADD Current Planning conditions:

- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for lighting and signage.

Per staff conditions.

Motion **PASSED** (3-0) / Unanimous

13. TA-18-0845-HUNTINGTON GEM LAB:

TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action) **12/18/18 PC**

Motion by Jenna Waltho

Action: **APPROVE** per staff conditions

Motion **PASSED** (3-0) / Unanimous

14. VS-18-0849-LMG LAS VEGAS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Windy Street and Las Vegas Boulevard and between Arby Avenue and the 215 Beltway within Enterprise (description on file). SS/sd/xx (For possible action) **12/18/18 PC**

Motion by Cheryl Wilson

Action: **APPROVE** per staff conditions.

Motion **PASSED** (3-0) / Unanimous

15. VS-18-0854-BLUE DIAMOND DECATUR PLAZA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Edmond Street and Decatur Boulevard, and between Blue Diamond Road and Caprock Canyon Avenue; and a portion of a right-of-way being Decatur Boulevard located between Blue Diamond Road and Pebble Road within Enterprise (description on file). SB/al/ja (For possible action) **12/18/18 PC**

Motion by Jenna Waltho

Action: **APPROVE** per staff conditions

Motion **PASSED** (3-0) / Unanimous

16. **VS-18-0861-CENTURY COMMUNITIES OF NEVADA, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Dean Martin Drive and I- 15, and between Starr Avenue and Rampoldi Road within Enterprise (description on file). SB/tk/ja (For possible action) 12/18/18 PC

Motion by Cheryl Wilson

Action: **APPROVE** per staff conditions.

Motion **PASSED** (3-0) / Unanimous

17. **WS-18-0875-CHURCH BAPTIST CHINESE, INC.:**
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for security fencing for fleet vehicle storage in conjunction with a single business within an existing office/warehouse complex on 5.6 acres in an M-D (Designed Manufacturing) Zone in the MUD-3 Overlay District. Generally located on the south side of Ford Avenue and the west side of Lindell Road within Enterprise. SB/md/ja (For possible action) 12/18/18 PC

Motion by David Chestnut

Action: **APPROVE** per staff conditions:

Motion **PASSED** (3-0) / Unanimous

18. **DR-18-0866-LEWIS INVESTMENT COMPANY NEVADA, LLC:**
DESIGN REVIEWS for the following:
1) a proposed single-family residential development; and
2) increase finished grade on 51.0 acres in an R-2 (Medium Density Residential) Zone with a portion in the MUD-4 Overlay District. Generally located on the east side of Hualapai Way (alignment) and the north side of Gomer Road (alignment) within Enterprise. SB/md/xx (For possible action) 12/19/18 BCC

Motion by Jenna Waltho

Action: **APPROVE**

ADD Current Planning condition:

- Design Review as a public hearing for significant changes to plans.

Per staff conditions

Motion **PASSED** (3-0) / Unanimous

19. **ET-18-400235 (UC-0789-16)-MFE INC:**
USE PERMIT FIRST EXTENSION OF TIME for the following:
1) allow a proposed convenience store;
2) allow a proposed gasoline service station;
3) allow a proposed vehicle maintenance building (smog check); and
4) allow a proposed vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following:
1) reduce the separation for a proposed convenience store to a residential use;
2) reduce the separation for a proposed gasoline service station to a residential use;
3) reduce the separation for a proposed vehicle maintenance building (smog check) to a residential use;
4) reduce the separation for a proposed vehicle wash to a residential use; and
5) reduce the driveway separation.
DESIGN REVIEWS for the following:
1) a proposed convenience store and retail building;

- 2) proposed gasoline service station;
 - 3) proposed vehicle maintenance building (smog check);
 - 4) proposed vehicle wash; and
 - 5) proposed restaurant with drive-thru
- on a 1.5-acre portion of 3.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. SB/sd/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut
Action: **APPROVE** per staff conditions:
Motion **PASSED** (3-0) / Unanimous

20. **ET-18-400238 (WS-0790-17)-SRMF TOWN SQUARE OWNER, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following:

- 1) increase the number of animated signs (static image units); and
- 2) permit encroachment into airspace.

DESIGN REVIEWS for the following:

- 1) increased animated sign (static image unit) area; and
 - 2) modifications to an approved comprehensive sign package
- in conjunction with an existing shopping center (Town Square) on 94.5 acres in an H-1 (Limited Resort and Apartment) (AE-65 and AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Sunset Road within Enterprise. SS/tk/ja (For possible action) 12/19/18 BCC

Motion by Cheryl Wilson
Action: **APPROVE** per staff conditions.
Motion **PASSED** (3-0) / Unanimous

21. **TM-18-500145-MFE, INC.:**
TENTATIVE MAP for a commercial subdivision on 3.7 acres in a C-1 (Local Business) Zone. Generally located on the south side of Cactus Avenue and the west side of Jones Boulevard within Enterprise. SB/lm/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut
Action: **APPROVE** per staff conditions:
Motion **PASSED** (3-0) / Unanimous

22. **TM-18-500208-LEWIS INVESTMENT COMPANY NEVADA, LLC:**
TENTATIVE MAP consisting of 387 single family residential lots and 16 common lots on 51.0 acres in an R-2 (Medium Density Residential) Zone with a portion in the MUD-4 Overlay District. Generally located on the east side of Hualapai Way (alignment) and the north side of Gomer Road (alignment) within Enterprise. SB/md/xx (For possible action) 12/19/18 BCC

Motion by Jenna Waltho
Action: **APPROVE** per staff conditions
Motion **PASSED** (3-0) / Unanimous

23. **UC-18-0754-CHURCH DEBRE BISLAT ST GABRIEL ETHIOPIAN O T:**
USE PERMITS for the following:

- 1) place of worship; and
- 2) increase the height of an ornamental spire and dome.

WAIVERS OF DEVELOPMENT STANDARDS for the following:

- 1) allow modified street standards; and
- 2) allow modified driveway design standards.

DESIGN REVIEWS for the following:

- 1) place of worship; and
- 2) increase finished grade

on 2.0 acres in an R- E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Lindell Road and the south side of Mistral Avenue (alignment) within Enterprise.

SB/md/ja (For possible action) 12/19/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

24. **UC-18-0869-RAYNES GLENN & RENE M REV FAM TR & RAYNES GLENN TRS ET**

AL:

USE PERMITS for the following:

- 1) permit a proposed feed store outside of Community District 5;
- 2) equipment sales;
- 3) watercraft (pedal boats) and trailer sales;
- 4) permit outside storage/display areas to be located within the front and side of the building; and
- 5) eliminate screening for outside storage/display when adjacent to the right-of-way and less intensive uses (single family residence).

WAIVERS OF DEVELOPMENT STANDARDS for the following:

- 1) permit alternative landscaping adjacent to a less intensive use (single family residence);
- 2) permit an alternative loading space design adjacent to a residential use; and
- 3) eliminate cross access.

DESIGN REVIEWS for the following:

- 1) proposed home improvement center;
- 2) proposed feed store;
- 3) equipment sales;
- 4) watercraft (pedal boats) and trailer sales;
- 5) outside storage and display;
- 6) a proposed lighting plan; and
- 7) increased finished grade on 4.7 acres

in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the east side of Rainbow Boulevard, 325 feet north of Blue Diamond Road within Enterprise.

SB/md/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning condition:

- Establish cross access to properties north and south of the applicant property if compatible uses are developed:
- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for signage.

Per staff if approved conditions:

Motion **PASSED** (3-0) / Unanimous

25. **UC-18-0874-GRAGSON-BUFFALO WINDMILL, LLC & GKT II, LLC:**

USE PERMITS for the following:

- 1) convenience store;
- 2) gasoline station;
- 3) reduce the separation from a proposed convenience store to a residential use; and

4) reduce the separation from a proposed gasoline station to a residential use.
DESIGN REVIEW for a convenience store and gasoline station on a portion of 3.9 acres in a C-1 (Local Business) Zone. Generally located on the south side of Windmill Lane and the west side of Buffalo Drive within Enterprise. SB/md/xx (For possible action) 12/19/18 BCC

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (3-0) / Unanimous

26. **VS-18-0755-CHURCH DEBRE BISRAT ST GABRIEL ETHIOPIAN O T ET AL:**
VACATE AND ABANDON easements of interest to Clark County located between Westwind Road (alignment) and Lindell Road (alignment), and between Shelbourne Avenue (alignment) and Windmill Lane (alignment) and a portion of a right-of-way being Mistral Avenue located between Westwind Road (alignment) and Lindell Road (alignment), and a portion of right-of-way being Lindell Road, located between Mistral Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). SB/md/ja (For possible action) 12/19/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

27. **VS-18-0877-BOYER, JOHN W. & MACK PECOS, LLC ET AL:**
VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Inspiration Drive (alignment) and between Raven Avenue (alignment) and Blue Diamond Road within Enterprise (description on file). SB/md/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut
Action: **APPROVE** per staff conditions:
Motion **PASSED** (3-0) / Unanimous

28. **WC-18-400241 (ZC-0532-04)-BOYER, JOHN W. & MACK PECOS, LLC ET AL:**
WAIVER OF CONDITIONS of a zone change requiring recording perpetual cross access, ingress/egress, and parking easements, if the properties are subdivided or developed independently in conjunction with a proposed feed store and home improvement center on 4.7 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the east side of Rainbow Boulevard and the north side of Blue Diamond Road within Enterprise. SB/md/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut
Action:
DENY Waiver of conditions to the north and south
APPROVE Waiver of conditions to the east.
ADD Current Planning condition:
• Establish cross access to properties north and south of the applicant property if compatible uses are developed:
Per staff if approved conditions:
Motion **PASSED** (3-0) / Unanimous

29. **WS-18-0766-MFE, INC.:**
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards in conjunction with an approved retail center consisting of a proposed convenience store, gasoline service station, vehicle maintenance building (smog check), and vehicle wash facility on 3.7 acres in a C-1 (Local Business) Zone. Generally located on the south side of Cactus Avenue and the

west side of Jones Boulevard within Enterprise. SB/dg/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut

Action: **APPROVE** per staff if approved conditions:

Motion **PASSED** (3-0) / Unanimous

30. **WS-18-0823-LEGACY TRADITIONAL SCHOOLS-NEVADA INC.:**
WAIVER OF DEVELOPMENT STANDARDS to allow a proposed animated sign (electronic message unit/video graphics) in conjunction with a monument sign.

DESIGN REVIEWS for the following:

1) proposed site lighting; and

2) proposed signage

in conjunction with an approved school on 10 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Wigwam Avenue and Montessori Street (alignment) within Enterprise. SB/pb/ja (For possible action) 12/19/18 BCC

The applicant has requested a **HOLD** to the December 12, 2018 Enterprise TAB meeting.

31. **ZC-18-0864-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS ET AL:**

ZONE CHANGE to reclassify 14.8 acres from R-E (Rural Estates Residential) Zone and R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced street intersection off-set.

DESIGN REVIEW for a proposed single-family residential development. Generally located on the east side of Haven Street and the north and south sides of Pyle Avenue within Enterprise (description on file). SS/md/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut

Action:

APPROVE Zone Change to R-2;

DENY Waiver of Development Standards;

DENY Design Review;

ADD Current Planning conditions:

- Design Review as a public hearing for significant/final changes to plans.
- 10,000 sq. ft. lots adjacent to Rancho Destino Rd.
- 10,000 sq. ft. lots adjacent to any lot greater than 10,000 sq. ft.
- Single story homes abutting single story homes.

CHANGE Public Works - Development Review bullet #3 to read:

- Full off-site improvements except Rancho Destino Rd.

ADD Public Works - Development Review condition:

- Rancho Destino Rd. to be developed to non-urban road standards.

Per staff if approved conditions:

Motion **PASSED** (3-0) / Unanimous

32. **ZC-18-0872-KATZ, LARRY:**

ZONE CHANGE to reclassify 1.7 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone for a retail center.

WAIVER OF DEVELOPMENT STANDARDS for reduced driveway separation.

DESIGN REVIEW for a retail/commercial center. Generally located on the east side of Decatur Boulevard and the north side of Warm Springs Road within Enterprise (description on file).

SS/mk/ja (For possible action) 12/19/18 BCC

Motion by David Chestnut

Action:

APPROVE Zone Change reduced to C-P;

DENY Waiver of development standards;

DENY Design Review;

ADD Current Planning Conditions:

- No 24-hour businesses;
- Design Review for significant changes to plans
- Design Review as a public hearing for signage.

Per Staff conditions:

Motion **PASSED** (3-0) / Unanimous

VII. General Business:

None

VIII. Public Comment:

A period devoted to comments by the general public about matters relevant to the Board's/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 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.

IX. Next Meeting Date

The next regular meeting will be December 12, 2018 at 6:00 p.m.

X. Motion by Cheryl Wilson
Adjourn meeting at 10:55 p.m.