



# Enterprise Town Advisory Board

Windmill Library  
7060 W. Windmill Lane  
Las Vegas, NV 89113  
February 13, 2019  
6:00 p.m.

## AGENDA

**NOTE:**

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

**Board Members:**

Jenna Waltho – Chair  
Paul Nimsuwan  
Kendal Weisenmiller

Barris Kaiser – Vice Chair  
David Chestnut

**Secretary:**

Carmen Hayes 702-371-7991 [chayes70@yahoo.com](mailto:chayes70@yahoo.com)

**County Liaison:**

Tiffany Hesser 702-455-7388 [tlh@clarkcountynv.gov](mailto:tlh@clarkcountynv.gov)

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
- II. Public Comment - This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three 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.
- III. Approval of Minutes January 30, 2019 (For possible action)

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair  
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM  
YOLANDA KING, County Manager

IV. Approval of Agenda for February 13, 2019 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)

- Meet and greet with District A Commissioner Michael Naft and District F Commissioner Justin Jones at 5:30pm on Tuesday February 26, 2019 at Desert Breeze Community Center, 8275 Spring Mountain Road

VI. Planning & Zoning

- UC-18-0923-BUFFALO GOMER, LLC, ET AL & SCHELL, WILLIAM & PATRICIA FAMILY TRUST: HOLDOVER USE PERMIT** for increased height of an existing communication tower.  
**DESIGN REVIEW** for additional antenna arrays and lattice on an existing communication tower (monopine) and associated equipment on a portion of 2.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/mk/ja (For possible action) **02/05/19 PC**
- ET-18-400259 (WS-0640-16)-32 ACRES, LLC: WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** to reduce the separation between an intersection and a driveway approach.  
**WAIVER OF CONDITIONS** of a zone change (ZC-1252-03) requiring right-of-way dedication for Las Vegas Boulevard South to include a proportionate area to accommodate a 110 foot right-of-way to back of curb plus sidewalk width as determined by the Nevada Department of Transportation, and an additional 10 feet on Starr Avenue, being a township line, and 30 feet for Giles Street.  
**DESIGN REVIEWS** for the following: 1) proposed retail center including a tavern; and 2) increased finished grade for a proposed retail center on 4.5 acres in a C-2 (General Commercial) Zone within the MUD-1 and MUD-4 Overlay Districts. Generally located on the east side of Las Vegas Boulevard South and the north side of Starr Avenue within Enterprise. MN/tk/ja (For possible action) **02/06/19 BCC**
- UC-18-0885-32 ACRES, LLC: HOLDOVER 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. MN/gc/ja (For possible action) **02/06/19 BCC**

4. **NZC-19-0060-MOTOR HOLDINGS, LLC:**  
**ZONE CHANGE** to reclassify 2.1 acres from R-E (Rural Estates Residential) (AE-65) Zone to C-2 (General Commercial) (AE-65) Zone and M-D (Designed Manufacturing) (AE-65) Zone.  
**DESIGN REVIEW** for a proposed office/warehouse building and a proposed retail building. Generally located on the north side of Warm Springs Road and the west side of Windy Street within Enterprise (description on file). MN/pb/ja (For possible action) 03/05/19 PC
5. **TM-19-500017-MOTOR HOLDINGS, LLC:**  
**TENTATIVE MAP** for an industrial/commercial subdivision on 2.1 acres in a C-2 (General Commercial) (AE-65) Zone and M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm Springs Road and the west side of Windy Street within Enterprise. MN/pb/ja (For possible action) 03/05/19 PC
6. **UC-19-0061-MOTOR HOLDINGS, LLC:**  
**USE PERMIT** for a proposed marijuana establishment (cultivation) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in a M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/pb/ja (For possible action) 03/05/19 PC
7. **UC-19-0073-WOUDA-GOTTO, CHRISTINE:**  
**USE PERMITS** for the following: 1) allow an accessory structure to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 200 feet east of Miller Lane within Enterprise. JJ/sd/ja (For possible action) 03/05/19 PC
8. **UC-19-0076-MOTOR HOLDINGS, LLC:**  
**USE PERMIT** for a proposed marijuana establishment (production) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in a M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/pb/ja (For possible action) 03/05/19 PC
9. **VS-19-0035-BOUQUET, INC.:**  
**VACATE AND ABANDON** a portion of right-of-way being Dean Martin Drive located between Cactus Avenue and Conn Avenue (alignment) and a portion of Cactus Avenue located between Dean Martin Drive and Polaris Avenue within Enterprise (description on file). JJ/sv/ma (For possible action) 03/05/19 PC
10. **VS-19-0063-MOTOR HOLDINGS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue, and between Windy Street and I-15 within Enterprise (description on file). MN/pb/ja (For possible action) 03/05/19 PC
11. **WS-19-0023-RBM TRUST & MILLER, RAYMOND A. & BARBARA A. TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a proposed single family residential lot to have direct access to a collector street (Cimarron Road); and 2) reduce gross lot area in conjunction with a proposed single family residential development on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Cimarron Road and Ford Avenue within Enterprise. JJ/sd/ja (For possible action) 03/05/19 PC

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YOLANDA KING, County Manager

12. **WS-19-0037-DENT II, LLC, ET AL:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.  
**DESIGN REVIEW** for security fencing for outside storage in conjunction with a single business within an existing office/warehouse complex on 5.6 acres in an M-D (Design 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. JJ/sd/ma (For possible action) 03/05/19 PC
13. **WS-19-0038-CONNALLY, LISA D. & LEON G. TRUST, ET AL:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a driveway within a corner radius; and 2) increase the amount of driveways in conjunction with an existing single family residence on 0.6 acres in an R-E (Rural Estates Residential) RNP-I Zone. Generally located on the southeast corner of Meranto Avenue and Montessouri Street within Enterprise. JJ/jor/ja (For possible action) 03/05/19 PC
14. **WS-19-0049-SKYLINE RIDGE HOMEOWNERS ASSOCIATION:**  
**WAIVER OF DEVELOPMENT STANDARDS** for a project identification sign not at the primary entrance of a single family residential subdivision on 0.2 acres in an RUD (Residential Urban Density) Zone. Generally located on the west side of Reynolds Spring Street, 200 feet north of Ford Avenue within Enterprise. JJ/rk/ma (For possible action) 03/05/19 PC
15. **WS-19-0053-OLYMPIA STORAGE SYSTEMS, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a freestanding sign along a freeway; 2) increase sign height; and 3) increase sign area.  
**DESIGN REVIEW** for an on-premises freestanding sign in conjunction with an approved mini warehouse complex on 4.7 acres in a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the south side of Robert Trent Jones Lane and the west side of I-15 within Enterprise. JJ/rk/ma (For possible action) 03/05/19 PC
16. **ET-18-400254 (NZC-0449-15)-HAFEN I, LLC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 2.4 acres from H-2 (General Highway Frontage) Zone to M-1 (Light Manufacturing) Zone in the MUD-2 Overlay District.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setback for proposed gates; and 2) cross access and shared parking easements.  
**DESIGN REVIEW** for an outside storage yard. Generally located on the west side of Bronco Street, 300 feet south of Pebble Road within Enterprise (description on file). JJ/tk/dg/ja (For possible action) 03/06/19 BCC
17. **ET-18-400274 (UC-2093-96)-CAPSTONE CHRISTIAN SCHOOL:**  
**USE PERMITS SIXTH EXTENSION OF TIME** to complete the following: 1) a temporary batch plant; and 2) additions to an existing temporary sand and gravel mining (gravel pit) operation including temporary associated equipment storage and stockpiling areas all in conjunction with a previously approved, privately funded storm water detention basin and future construction projects.  
**VARIANCES** for the following: 1) permit a previously approved privately funded, below grade storm water detention basin; and 2) permit a temporary construction trailer on 58.8 acres in a P-F (Public Facility) Zone and an R-2 (Residential Suburban) Zone. Generally located on the north side of Cactus Avenue and the east side of Amigo Street within Enterprise. MN/tk/ma (For possible action) 03/06/19 BCC

18. **TM-19-500018-WINDMILL ACRES, LLC:**  
**TENTATIVE MAP** consisting of 30 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Windmill Lane and the west side of Edmond Street within Enterprise. JJ/pb/ja (For possible action) 03/06/19 BCC
19. **VS-19-0067-WINDMILL ACRES, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Windmill Lane and Mistral Avenue, and between Edmond Street and Joyful Music Street within Enterprise (description on file). JJ/pb/ja (For possible action) 03/06/19 BCC
20. **WS-18-0473-L V SILVERADO WEST, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow freestanding signs; 2) reduce the separation from a proposed project identification sign to a proposed freestanding sign; 3) increased area of proposed project identification sign; and 4) reduce setback from a right-of-way to proposed freestanding signs. **DESIGN REVIEW** for a comprehensive sign plan in conjunction with an apartment complex currently under development on 19.8 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Gilespie Street within Enterprise. MN/dg/ja (For possible action) 03/06/19 BCC
21. **WS-19-0022-JONES 215, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the height of a freestanding sign; 2) increase sign area for a freestanding sign; and 3) increase animation area for a freestanding sign. **DESIGN REVIEW** for a proposed freestanding sign in conjunction with an existing vehicle sales facility (automobile dealership, Findlay Chevrolet) on a portion of 8.8 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the south side of Roy Horn Way and the west side of Torrey Pines Drive within Enterprise. MN/rk/ja (For possible action) 03/06/19 BCC
22. **ZC-19-0020-DECATUR COMMONS, LLC:**  
**ZONE CHANGE** to reclassify 3.7 acres from R-E (Rural Estates Residential) (AE-60) Zone to M-D (Designed Manufacturing) (AE-60) Zone.  
**USE PERMITS** for the following: 1) retail sales as a principal use; 2) restaurants; 3) on-premises consumption of alcohol (tavern); and 4) future hotel.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative landscaping.  
**DESIGN REVIEW** for a commercial retail center on 5.6 acres. Generally located on the east side of Decatur Boulevard and the north side of the 215 Beltway within Enterprise (description on file). MN/pb/ja (For possible action) 03/06/19 BCC
23. **ZC-19-0044-CIMA BLUE, LLC:**  
**ZONE CHANGE** to reclassify 5.0 acres from a C-2 (General Commercial) Zone and an H-2 (General Highway Frontage) Zone to an R-3 (Multi-Family Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate setback for garage openings to a drive aisle; 2) reduce front setback; 3) reduce setback from right-of-way; and 4) reduce landscaping along a street frontage.  
**DESIGN REVIEWS** for the following: 1) a proposed multi-family residential development; and 2) increased finished grade in the MUD-4 Overlay District. Generally located 210 feet north of Blue Diamond Road and 330 feet east of Cimarron Road on Rumrill Street within Enterprise (description on file). JJ/rk/ja (For possible action) 03/06/19 BCC

24. **ZC-19-0059-WARMINGTON RISE ASSOCIATES, LP:**  
**ZONE CHANGE** to reclassify a 1.0 acre portion of a 5.4 acre parcel from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; 2) reduce approach distance; 3) reduce departure distance; and 4) reduce throat depth.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a shopping center. Generally located on the south east corner of Windmill Lane and Rainbow Boulevard within Enterprise (description on file). JJ/jor/ja (For possible action) 03/06/19 BCC
25. **ZC-19-0064-WINDMILL ACRES, LLC:**  
**ZONE CHANGE** to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative residential driveway geometrics.  
**DESIGN REVIEW** for a single family residential development. Generally located on the south side of Windmill Lane and the west side of Edmond Street within Enterprise (description on file). JJ/pb/ja (For possible action) 03/06/19 BCC

VII. General Business

1. Approve 2019 TAB meeting calendar (for possible action)

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board'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: February 27, 2019

X. Adjournment

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following 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



Tonight's agenda has several related item numbers which will be heard together. There are also numerous Plan Amendment requests which will be heard in an order of northwest to southeast (so requests near each other will be heard near each other). Then the remaining agenda items will be heard afterwards. In order to help follow along, the following lists the order in which all agenda items will be heard:

### Order for Hearing Agenda Items (1-13)

Item Number (related items will be heard together)	Application Numbers
1	TM-18-500229
6	WS-18-0998
2	TM-18-500233
7	WS-18-1004
3	TM-18-500234
8	WS-18-1007
4	UC-18-0885
5	WS-18-0952
9	DR-19-0002
10	NZC-18-1026
34	TM-18-500242
39	VS-18-1025
11	NZC-18-1028
35	TM-18-500243
40	VS-18-1029
12	NZC-18-1030
36	TM-18-500244
13	NZC-19-0005
37	TM-19-500003
41	VS-19-0004

### Land Use Plan Amendments Order (14-33)

Item Number	Application
16	PA-18-700006
32	PA-18-700022



22	PA-18-700012
33	PA-18-700023
24	PA-18-700014
31	PA-18-700021
25	PA-18-700015
29	PA-18-700019
27	PA-18-700017
28	PA-18-700018
15	PA-18-700005
14	PA-18-700004
20	PA-18-700010
21	PA-18-700011
30	PA-18-700020
17	PA-18-700007
26	PA-18-700016
19	PA-18-700009
23	PA-18-700013
18	PA-18-700008

**Remaining Items to be heard after Plan Amendments**

<b>Item Number</b>	<b>Application Number</b>
38	VS-18-1018
42	WS-18-1016
43	DR-19-0018

V. Informational Items

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

- a. Clark County Parks & Recreation Department, Office of Public Art to discuss the Public Art Installation at James Regional Sports Complex, including the process of selecting the final design and invite the neighborhood to attend the final presentation on Saturday, February 9, 2019 from 2:30 pm to 5:00 pm at the Windmill Library (for discussion only).

**Mickey Sprott, Clark County Parks and Recreation, presented information on the art project.**

VI. Planning & Zoning

1. **TM-18-500229-PIONEER TORINO, LLC:**  
**TENTATIVE MAP** consisting of 24 single family residential lots and common lots on 13.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Jerlyn Street and the south side of Ford Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

2. **TM-18-500233-TOUCHSTONE HOMESTEAD, LLC:**  
**TENTATIVE MAP** consisting of 8 single family residential lots and common lots on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Tenaya Way and the north side of Wigwam Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser  
Action: **APPROVE**  
Per staff if approved conditions  
Motion **PASSED** (4-0) / Unanimous

3. **TM-18-500234-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**TENTATIVE MAP** consisting of 8 single family residential lots and common lots on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Cimarron Road and the north side of Wigwam Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser  
Action: **APPROVE**  
Per staff if approved conditions Motion **PASSED** (4-0) / Unanimous

4. **UC-18-0885-32 ACRES, LLC:**  
**HOLDOVER 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. MN/gc/ja (For possible action) 02/06/19 PC

Motion by Jenna Waltho

Action: **HOLD** per applicant's request to 2/13/19 Enterprise TAB so a related item can be heard at the same meeting.

Motion **PASSED** (4-0) / Unanimous

5. **WS-18-0952-ELIOT A A HOLDINGS, LLC & VERMILLION SUSAN J SEP PPTY TR: AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased wall height; 2) full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights); and 3) technical drainage study (previously not notified). **DESIGN REVIEWS** for the following: 1) a single family residential development; and 2) increased finished floor elevation on 1.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northeast corner of Wigwam Avenue and Warbonnet Way within Enterprise. JJ/mk/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions

Motion **PASSED** (4-0) / Unanimous

6. **WS-18-0998-PIONEER TORINO, LLC: WAIVER OF DEVELOPMENT STANDARDS** to reduce lot area. **DESIGN REVIEWS** for the following: 1) single family residential development; and 2) increase finished grade on 13.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Jerlyn Street and the south side of Ford Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

7. **WS-18-1004-TOUCHSTONE HOMESTEAD, LLC: WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce lot area; 2) waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); and 3) reduce the street intersection off-set. **DESIGN REVIEWS** for the following: 1) single family residential development; 2) hammerhead street design; and 3) increase finished grade on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Tenaya Way and the north side of Wigwam Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser

Action: **APPROVE** Waivers of Development Standards 2a & 2b

**WITHDRAW** per applicant request Waivers of Standards 1, 2c & 3

**APPROVE** Design Reviews

**ADD** additional Public Works - Development Review condition:

- Install 7 foot wide asphalt walking paths adjacent to perimeter streets.

Per staff if approved conditions  
Motion PASSED (4-0) / Unanimous

8. **WS-18-1007-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce lot area; 2) waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); and 3) reduce the street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) single family residential development; 2) hammerhead street design; and 3) increase finished grade on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Cimarron Road and the north side of Wigwam Avenue within Enterprise. JJ/pb/ja (For possible action) 02/06/19 PC

Motion by Barris Kaiser

Action: **APPROVE** Waivers of Development Standards 2a & 2b  
**WITHDRAW** per applicant request Waivers of Standards 1, 2c & 3  
**APPROVE** Design Reviews

**ADD** additional Public Works - Development Review condition:

- Install 7 foot wide asphalt walking paths adjacent to perimeter streets.

Per staff if approved conditions

Motion PASSED (4-0) / Unanimous

9. **DR-19-0002-SCHOOL BOARD OF TRUSTEES:**  
**DESIGN REVIEW** for a classroom building addition to an existing elementary school (Tony Alamo) on a portion of 11.1 acres in a P-F (Public Facility) Zone. Generally located on the north side of Eldorado Lane, 350 feet east of Torrey Pines Drive within Enterprise. MN/dg/ma (For possible action) 02/19/19 PC

Motion by Jenna Waltho

Action: **APPROVE** per staff conditions

Motion PASSED (4-0) / Unanimous

10. **NZC-18-1026-FORT APACHE HOMES INC., ET AL:**  
**ZONE CHANGE** to reclassify 7.5 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; and 2) alternative residential driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a single family residential development; 2) a preliminary grading plan in conjunction with a hillside development; 3) alternative development standards; and 4) increase finish grade for a proposed single family residential development. Generally located on the south side of Gomer Road (alignment), 300 feet east of Buffalo Drive within Enterprise (description on file). JJ/dg/ja (For possible action) 02/19/19 PC

Motion by Jenna Waltho

Action: **DENY**

Motion PASSED (4-0) / Unanimous

11. **NZC-18-1028-CFT LANDS, LLC:**  
**ZONE CHANGE** to reclassify 15.0 acres from R-E (Rural Estates Residential) Zone to R-1 (Single

Family Residential) Zone for a proposed single family residential development.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height and 2) increased street length.

**DESIGN REVIEW** for a proposed single family residential development. Generally located on the north side of Starr Avenue and the west side of Fairfield Avenue (alignment) within Enterprise (description on file). MN/al/ja (For possible action) 02/19/19 PC

Motion by Jenna Waltho

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

12. **NZC-18-1030-USA:**

**ZONE CHANGE** to reclassify 4.9 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) increase wall height; and 3) reduce the street intersection off-set.

**DESIGN REVIEWS** for the following: 1) a single family residential development; and 2) increase finish grade. Generally located on the east side of Rumrill Street, 300 feet north of Mountain's Edge Parkway within Enterprise (description on file). JJ/dg/ja (For possible action) 02/19/19 PC

Motion by Paul Nimsuwan

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

Motion **PASSED** (4-0) / Unanimous

13. **NZC-19-0005-USA:**

**ZONE CHANGE** to reclassify a 10.0 acre portion of a 30.0 acre parcel from P-F (Public Facility) Zone to R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce street landscaping; and 2) reduce separation between street intersections.

**DESIGN REVIEWS** for the following: 1) a single family residential development; and 2) increase finish grade for a single family residential development. Generally located on the southwest corner of Shelbourne Avenue and Durango Drive within Enterprise (description on file). JJ/jt/ja (For possible action) 02/19/19 PC

Motion by Kendell Weisenmiller

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

Motion **PASSED** (3-1) / NAY Barris Kaiser

14. **PA-18-700004-ITALIANO, NELSON P & CARLETTA G & SCHWARTZ, GENE L:**

**PLAN AMENDMENT** to redesignate the existing land use category from CN (Commercial Neighborhood) to BDRP (Business and Design/Research Park) on 1.2 acres. Generally located on the south side of Richmar Avenue (alignment), 140 feet west of Arville Street within Enterprise. JJ/pd (For possible action) 02/19/19 PC

Motion by Kendell Weisenmiller

Action: **APPROVE**

Motion **PASSED** (3-1) / NAY Barris Kaiser

15. **PA-18-700005-DIAMOND VALLEY VIEW LTD:**

**PLAN AMENDMENT** to redesignate the existing land use category from BDRP (Business and Design/Research Park) to RH (Residential High) on 5.0 acres. Generally located on the east side of Valley View Boulevard, 700 feet north of Blue Diamond Road within Enterprise. MN/pd (For possible action) 02/19/19 PC

possible action) 02/19/19 PC

Motion by Paul Nimsuwan  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

16. **PA-18-700006-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: PLAN AMENDMENT** to redesignate the existing land use category from CG (Commercial General) to RH (Residential High) on 5.0 acres. Generally located on the south side of Warm Springs Road, 600 feet east of Buffalo Drive within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Barris Kaiser  
Action: **APPROVE** change to Residential Medium  
Motion **PASSED** (4-0) / Unanimous

17. **PA-18-700007-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: PLAN AMENDMENT** to redesignate the existing land use category from RL (Residential Low) to RS (Residential Suburban) on 2.5 acres. Generally located on the southwest corner of Rancho Destino Road and Jo Rae Avenue (alignment) within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller  
Action: **APPROVE**  
Motion **FAILED** (1-3)

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (3-1) / NAY Kendal Weisenmiller

18. **PA-18-700008-CHO BYUNG TAE & MILLS SOON NIM: PLAN AMENDMENT** to redesignate the existing land use category from RL (Residential Low) to RS (Residential Suburban) on 4.6 acres. Generally located on the southwest corner of Placid Street and Starr Avenue within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

19. **PA-18-700009-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: PLAN AMENDMENT** to redesignate the existing land use categories from CT (Commercial Tourist) and OP (Office Professional) to CG (Commercial General) on 2.4 acres. Generally located on the east side of Las Vegas Boulevard South, 430 feet south of Cactus Avenue within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Barris Kaiser  
Action: **APPROVE**  
Motion **PASSED** (4-0) / Unanimous

20. **PA-18-700010-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: PLAN AMENDMENT** to redesignate the existing land use category from BDRP (Business and Design/Research Park) to CG (Commercial General) on 9.0 acres. Generally located on the

northeast corner of Silverado Ranch Boulevard and Dean Martin Drive within Enterprise. JJ/pd  
(For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

21. **PA-18-700011-AYB INVESTMENTS, LLC & ABRISHAMI ENAYAT PROFIT SHR PL:**  
**PLAN AMENDMENT** to redesignate the existing land use categories from CN (Commercial Neighborhood) and CG (Commercial General) to RH (Residential High) on 12.5 acres. Generally located on the southwest corner of Richmar Avenue and Dean Martin Drive within Enterprise. JJ/pd  
(For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

22. **PA-18-700012-MAK ZAK, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RNP (Rural Neighborhood Preservation) to RS (Residential Suburban) on 5.0 acres. Generally located on the northeast corner of Miller Lane and Camero Avenue within Enterprise. JJ/pd (For possible action)  
02/19/19 PC

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

23. **PA-18-700013-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RNP (Rural Neighborhood Preservation) to CG (Commercial General) on 4.4 acres. Generally located on the southeast corner of Cactus Avenue and Giles Street within Enterprise. MN/pd (For possible action)  
02/19/19 PC

Motion by Paul Nimsuwan  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

24. **PA-18-700014-MAK ZAK, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RNP (Rural Neighborhood Preservation) to RS (Residential Suburban) on 5.0 acres. Generally located on the southwest corner of Cougar Avenue (alignment) and Rosanna Street (alignment) within Enterprise. JJ/pd (For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

25. **PA-18-700015-MAK ZAK, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RNP (Rural Neighborhood Preservation) to RS (Residential Suburban) on 20.0 acres. Generally located on the north side of Agate Avenue and the west and east sides of Cimmaron Road (alignment) within

Enterprise. JJ/pd (For possible action) 02/19/19 PC

Motion by Paul Nimsuwan

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

26. **PA-18-700016-ZIADE, PHILLIPE & ZIADE, JOSEPH:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RL (Residential Low) to RS (Residential Suburban) on 2.2 acres. Generally located on the east side of Haven Street, 300 feet north of Jo Rae Avenue within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Paul Nimsuwan

Action: **APPROVE**

Motion **PASSED** (4-0) / Unanimous

27. **PA-18-700017-CFT LANDS, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RS (Residential Suburban) and PF (Public Facility) to RH (Residential High) on 35.0 acres. Generally located on the southeast corner of Robindale Road and Duneville Street within Enterprise. MN/pd (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

28. **PA-18-700018-CFT LANDS, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RL (Residential Low) to RS (Residential Suburban) on 5.0 acres. Generally located on the northeast corner of Edmond Street and Gary Avenue (alignment) within Enterprise. JJ/pd (For possible action) 02/19/19 PC

Motion by Barris Kaiser

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

29. **PA-18-700019-LH VENTURES, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RNP (Rural Neighborhood Preservation) to RS (Residential Suburban) on 15.0 acres. Generally located on the northwest corner of Redwood Street and Torino Avenue within Enterprise. JJ/pd (For possible action) 02/19/19 PC

Motion by Paul Nimsuwan

Action: **DENY**

Motion **PASSED** (4-0) / Unanimous

30. **PA-18-700020-LH VENTURES, LLC, ET AL:**  
**PLAN AMENDMENT** to redesignate the existing land use categories from RL (Residential Low), RS (Residential Suburban), and CG (Commercial General) to RS (Residential Suburban) and RH (Residential High) on 37.5 acres. Generally located between Dean Martin Drive and Valley View Boulevard, and between Haleh Avenue (alignment) and Cactus Avenue within Enterprise. JJ/pd (For possible action) 02/19/19 PC



Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

31. **PA-18-700021-LH VENTURES, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use categories from RNP (Rural Neighborhood Preservation), PF (Public Facility), and CG (Commercial General) to RS (Residential Suburban) on 52.0 acres. Generally located on the southwest corner of Rainbow Boulevard and Pebble Road in Enterprise. JJ/pd (For possible action) **02/19/19 PC**

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

32. **PA-18-700022-LH VENTURES, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RS (Residential Suburban) to RH (Residential High) on 5.0 acres. Generally located on the north side of Windmill Lane, 600 feet east of Buffalo Drive within Enterprise. MN/pd (For possible action) **02/19/19 PC**

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

33. **PA-18-700023-LH VENTURES, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from RL (Residential Low) to RS (Residential Suburban) on 27.5 acres. Generally located on the northeast corner of Wigwam Avenue and Tenaya Way within Enterprise. JJ/pd (For possible action) **02/19/19 PC**

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

34. **TM-18-500242-FORT APACHE HOMES INC., ET AL:**  
**TENTATIVE MAP** consisting of 41 single family residential lots and common lots on 7.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Gomer Road (alignment), 300 feet east of Buffalo Drive within Enterprise. JJ/dg/ja (For possible action) **02/19/19 PC**

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

35. **TM-18-500243-CFT LANDS, LLC:**  
**TENTATIVE MAP** consisting of 75 residential lots and common lots on 15.0 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Starr Avenue and the west side of Fairfield Avenue (alignment) within Enterprise. MN/al/ja (For possible action) **02/19/19 PC**

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

36. **TM-18-500244-USA:**  
**TENTATIVE MAP** consisting of 39 single family residential lots and common lots on 4.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Rumrill Street, 300 feet north of Mountain's Edge Parkway within Enterprise. JJ/dg/ja (For possible action) 02/19/19 PC

Motion by Paul Nimsuwan  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

37. **TM-19-500003-USA:**  
**TENTATIVE MAP** consisting of 50 single family residential lots and common lots on a 10.0 acre portion of a 30.0 acre parcel in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Shelbourne Avenue and Durango Drive within Enterprise. JJ/jt/ja (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

38. **VS-18-1018-AFRIDI, ROMMAN KHAN:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Haven Street and Rancho Destino Road and between Eldorado Lane and Maulding Avenue (alignment) within Enterprise (description on file). MN/jvm/ma (For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

39. **VS-18-1025-FORT APACHE HOMES INC., ET AL:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Gomer Road (alignment) and Le Baron Avenue (alignment), and between Buffalo Drive and Monte Cristo Way (alignment) within Enterprise (description on file). JJ/dg/ja (For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

40. **VS-18-1029-CFT LANDS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Starr Avenue and Terrill Avenue and between La Cienega Street and Fairfield Avenue (alignment); and portions of a rights-of-way being Terrill Avenue located between La Cienega Street and Fairfield Avenue (alignment) and Fairfield Avenue located between Terrill Avenue and Starr Avenue within Enterprise (description on file). MN/al/ja (For possible action) 02/19/19 PC

Motion by Jenna Waltho  
Action: **DENY**  
Motion **PASSED** (4-0) / Unanimous

41. **VS-19-0004-USA:**

**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Camero Avenue (alignment) and between Durango Drive and Bonita Vista Street (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

42. **WS-18-1016-SCHOOL BOARD OF TRUSTEES:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation between a proposed animated sign (electronic message unit) and an existing residential use.  
**DESIGN REVIEW** for a proposed wall sign with animation (electronic message unit) in conjunction with an existing public school (elementary) on 13.0 acres in a P-F (Public Facility) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the east side of Dean Martin Drive, 100 feet south of Varena Ridge Avenue within Enterprise. JJ/md/ma (For possible action) 02/19/19 PC

Motion by Kendal Weisenmiller  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

43. **DR-19-0018-SILVERADO GALLERY, LLC:**  
**DESIGN REVIEWS** for the following: 1) lighting; and 2) signage in conjunction with a commercial complex on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Silverado Ranch Boulevard and Fairfield Avenue within Enterprise. MN/al/ma (For possible action) 02/20/19 BCC

Motion by Jenna Waltho  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) / Unanimous

VII. General Business:

1. Discuss the proposed Land Update schedule. (for possible action)

Clark County Director of Planning, Nancy Amundsen, explained the Board of County Commissioners approved the next Major Land Use Update for Enterprise to begin later this year, but did not approve 2-year updates to follow.

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 February 13, 2019 at 6:00 p.m.

X. Adjournment:

Motion by Jenna Waltho

Action: **ADJOURN** meeting at 2:10 am

Motion **PASSED** (4-0) / Unanimous

DRAFT

02/05/19 PC AGENDA SHEET

COMMUNICATION TOWER  
(TITLE 30)

BUFFALO DR/GOMER RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-18-0923-BUFFALO GOMER. LLC, ET AL & SCHELL, WILLIAM & PATRICIA FAMILY TRUST:**

**HOLDOVER USE PERMIT** for increased height of an existing communication tower.  
**DESIGN REVIEW** for additional antenna arrays and lattice on an existing communication tower (monopine) and associated equipment on a portion of 2.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/mk/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-27-101-001 ptn

**USE PERMIT:**  
Increase the height of an existing communication tower to 90 feet where 80 feet is permitted per Table 30.44-1 (a 12.5 % increase).

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: N/A
- Site Acreage: 2.5 (portion)
- Project Type: Increased height of a communication tower
- Communication Tower Height (feet): 90

**Site Plans & History**

The plans depict an existing communication tower (stealth monopine) that does not exceed 80 feet in height with associated ground equipment in the northeast corner of the property. The communication tower and associated equipment are enclosed by an 8 foot high decorative block wall. This request is to allow a 10 foot increase of an existing tower, making the top of the tower at 90 feet. The height increase will allow the tower to accommodate 4 antenna arrays, and 12

panels. The subject tower shares a CMU wall with another 80 foot stealth monopine on the property. The towers were approved as part of a cell tower cluster per Title 30.

**Elevations**

The plans depict an increase to the existing 80 foot high communication tower (monopine) for an overall height of 90 feet to allow 4 additional antenna arrays. All proposed and existing equipment will be painted to match the surroundings.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states that this request will allow the tower to accommodate additional antenna arrays, and all associated equipment will be painted to match the existing tower. The applicant adds that the communication tower is in compliance with all Federal requirements and was approved to cluster with another tower per UC-0463-10.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0463-10	Communication tower (stealth monopine) and associated equipment	Approved by PC	November 2010
ADR-0686-07	Stealth monopine not to exceed 80 foot	Approved Administratively	June 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facility	PF	Public park (Exploration)
East	Residential Low (up to 3.5 du/ac)	R-E	Undeveloped parcel
West & South	Major Project Planned Community Mountain's Edge	R-2	Mountains Edge single family residential development.

The subject site is 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 Permit & Design Review**

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.

There are 2 existing communication towers (stealth monopine) located on the northeastern corner of the undeveloped parcel. The towers were approved as a cluster to minimize the impact on the surrounding developments. Staff finds that the proposed increase of the existing communication tower is needed in order to accommodate new antenna arrays. Additionally, the increased monopine tower, antennas, and all exposed mounting hardware will match the existing towers and antenna in terms of color and materials. Staff finds that the height increase to allow for additional antenna arrays in order to provide better and efficient wireless service to the customers in the area is a better plan than adding another tower in the area. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; 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:**

**PLANNING COMMISSION ACTION:** January 22, 2019 – HELD – To 02/05/19 – per staff for the applicant to return to the Enterprise Town Board.

**APPLICANT: VERIZON WIRELESS**  
**CONTACT: GWENDOLYN FISCHER, CROWN CASTLE, 200 SPECTRUM CENTER**  
**DRIVE, SUITE 1700, IRVINE, CA 92618**

**DRAFT**



TAVERN  
(TITLE 30)

LAS VEGAS BLVD S/STARR AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-18-400259 (WS-0640-16)-32 ACRES, LLC:

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** to reduce the separation between an intersection and a driveway approach.

**WAIVER OF CONDITIONS** of a zone change (ZC-1252-03) requiring right-of-way dedication for Las Vegas Boulevard South to include a proportionate area to accommodate a 110 foot right-of-way to back of curb plus sidewalk width as determined by the Nevada Department of Transportation, and an additional 10 feet on Starr Avenue, being a township line, and 50 feet for Giles Street.

**DESIGN REVIEWS** for the following: 1) proposed retail center including a tavern; and 2) increased finished grade for a proposed retail center on 4.5 acres in a C-2 (General Commercial) Zone within the MUD-1 and MUD-4 Overlay Districts.

Generally located on the east side of Las Vegas Boulevard South and the north side of Starr Avenue within Enterprise. MN/tk/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-33-401-006

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the separation between an intersection and a driveway approach to 149 feet where 190 feet is required along Las Vegas Boulevard South per Uniform Standard Drawing 222.1 (a 21.6% reduction).

**DESIGN REVIEWS:**

1. A proposed retail center including a tavern.
2. Increase the finished grade for a proposed tavern to 8.7 feet where 18 inches is the standard (a 480% increase).

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

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: 30 Starr Avenue
- Site Acreage: 4.5

- Project Type: Retail center
- Number of Stories: 1
- Building Height (feet): 32
- Square Feet: 6,000 tavern/26,450 total retail center
- Parking Required/Provided: 60/80 tavern/106/204 total retail center

#### Waiver of Conditions

A zone change to reclassify the site from H-2 to C-2 zoning for a 16,490 square foot retail center consisting of a 4,500 square foot tavern, a convenience store, and a retail pad site was approved by action of ZC-1252-03. That approval included several conditions including requiring right-of-way dedication for Las Vegas Boulevard South to include a proportionate area to accommodate a 110 foot right-of-way to back of curb plus sidewalk width as determined by the Nevada Department of Transportation, and an additional 10 feet on Starr Avenue, being a township line, and 30 feet for Giles Street. The request includes a waiver of a portion of this condition requiring dedication of Giles Street to allow the redesign of the approved retail center.

#### Site Plans

The original plans depict a 6,000 square foot tavern/restaurant located at the center of the parcel with a future pad site on the western portion of the parcel and 2 future pad sites on the eastern portion of the parcel. The tavern is Phase 1 of the project. The tavern is set back over 200 feet from the nearest residential use. A total of 80 parking spaces are provided on the east, south, and west sides of the building. There are 2 driveways providing access to Starr Avenue and a third driveway providing access to Las Vegas Boulevard South. The original plans also depict that the finished grade will be increased up to 8.7 feet throughout the site.

#### Landscaping

The approved plans depict a 10 foot wide landscape area adjacent to an attached sidewalk and a bus stop along Las Vegas Boulevard South and a 15 foot wide landscape area with a detached sidewalk along Starr Avenue. A 20 foot wide landscape area is located along the east property line adjacent to an existing residential use. Interior parking lot landscaping is equitably distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

#### Elevations

The approved plans depict a 32 foot high tavern with a varied roof line which includes pitched roofs with concrete roof tiles and flat roofs with parapet walls. The façade includes plaster walls, stone veneer, and awnings. No elevations were provided for the future pad sites.

#### Floor Plans

The approved plans depict a 6,000 square foot tavern with a bar, billiards area, dining area, kitchen, and restrooms. No floor plans were provided for the future pad sites; however, Pad A will include an 8,400 square foot building, Pad B will include a 5,650 square foot building, and Pad C will include a 6,400 square foot building.

#### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-0640-16:

#### Current Planning

- 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;
- Install intense landscaping materials per Figure 30.64-12 along the east property line;
- 8 foot decorative wall along the east property line;
- Direct the vent for the kitchen toward Las Vegas Boulevard South;
- Relocate the dumpster at the north end of the 2 eastern buildings;
- Design review as a public hearing for lighting, signage, and future pad development;
- Cross access provided to the property to the north;
- 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;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Title 30.32-040-9 are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication for Las Vegas Boulevard South to accomplish the ultimate 200 feet per the Transportation Element, 5 additional feet to back of curb for Starr Avenue, and associated spandrel.
- Applicant is advised that the installation of detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

- Applicant is advised that existing sewer is within 400 feet of the parcel; and that at time of development, submit a Point of Connection (POC) request to the CCWRD to ensure the location and capacity in the public collection system.

#### Applicant's Justification

The applicant is requesting an extension to this application due to the fact that the original approved plans have expired and a down turn in the economy forced the owner not to build the intended project. The owner is wanting to move forward and continue to develop; therefore, additional time is needed for the waivers and design approval from 2016.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0640-16	Reduce separation from an intersection to a driveway approach, with waivers of conditions and design review for a proposed tavern in a retail center	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 R-E to C-2 zone 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 residential
East	Residential Suburban (up to 8 du/ac)	R-1	Single family residential
West	Commercial Tourist	H-1	Undeveloped

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

**Related Applications**

Application Number	Request
UC-18-0885	A use permit with a design review for a convenience store and vehicle wash (a related 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**

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 in 2003, the owner did not start the project due to a down turn in the economy and the original plans have expired. The owner is now wanting to develop on the property and will need extra time for the waivers and the design review approval; therefore, staff can support an additional 2 years.

**Public Works - Development Review**

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

**Staff Recommendation  
Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until December 7, 2020 to commence;
- 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.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:  
APPROVALS:  
PROTEST:**

**APPLICANT: STUART APODLO  
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLD 3 STE 577, LAS VEGAS, NV 89134**



02/06/19 BCC AGENDA SHEET

UPDATE

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:

HOLDOVER 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. MN/gc/ja (For possible action)

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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 cavern, 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.

**Related Applications**

Application Number	Request
ET-18-400259 (WS-0640-16)	An extension of time to reduce separation between an intersection and a driveway approach with a waiver of conditions on a zone change and design reviews for a proposed retail center including a tavern and increased finished grade for a proposed retail center is a related 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**

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 which reduced 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 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. Therefore, staff cannot support the design reviews.

#### **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](mailto: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: 1 card**

**PROTESTS: 9 cards**

**COUNTY COMMISSION ACTION:** January 9, 2019 – HELD – To 02/06/19 – per the applicant.

**APPLICANT: TERRIBLE HERBST, INC.**

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

**DRAFT**

03/05/19 PC AGENDA SHEET

OFFICE/WAREHOUSE/RETAIL  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-19-0060-MOTOR HOLDINGS, LLC:**

**ZONE CHANGE** to reclassify 2.1 acres from R-E (Rural Estates Residential) (AE-65) Zone to C-2 (General Commercial) (AE-65) Zone and M-D (Designed Manufacturing) (AE-65) Zone. **DESIGN REVIEW** for a proposed office/warehouse building and a proposed retail building.

Generally located on the north side of Warm Springs Road and the west side of Windy Street within Enterprise (description on file). MN/pb/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-05-801-030

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

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

- Site Address: N/A
- Site Acreage: 2.1 total/1.0 M-D/1.1 C-2
- Number of Lots: 1
- Project Type: Office/warehouse building and retail building
- Number of Stories: 3 (office/warehouse)/2 (retail)
- Building Height (feet): 52 (office/warehouse)/37 (retail)
- Square Feet: 16,560 (office/warehouse)/7,746 (retail)
- Parking Required/Provided: 66/104

**Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 1 acre from an R-E zone to an M-D zone for an office/warehouse building. This request also includes a conforming zone change to a C-2 zone for the remaining 1.1 acres. The applicant conducted a neighborhood meeting at 7690 Las Vegas Boulevard South on October 1, 2018, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 13 of the abutting property owners attended the meeting. Concerns expressed dealt with public safety, signage, and

compatibility of the proposed use with the existing, approved, and proposed development in the area.

#### Site Plans

The plans depict a proposed 16,560 square foot office/warehouse building located on the southern portion of the western 1 acre, M-D zoned portion of the site and a proposed 7,746 square foot retail building located on the southern portion of the eastern 1.1 acres, C-2 zoned portion of the site. Parking is located to the north of the buildings. The site will have access to Warm Springs Road and Windy Street via a driveway located on the southwest corner of the site and another driveway located on the northeast corner of the site.

#### Landscaping

A 15 foot wide landscape area is located adjacent to an existing attached sidewalk along Warm Springs Road and a 10 foot wide landscape area is located adjacent to a proposed attached sidewalk along Windy Street. A 10 foot wide landscape area is located along the western property line and a 6 foot wide landscape area is located along the northern property line. Interior parking lot trees are distributed throughout the site in accordance with Figure 30.64-14. Landscape materials include trees, shrubs, and groundcover.

#### Elevations

The office/warehouse building is 50 feet high with a maximum height of 52 feet for the parapet walls. The retail building is 37 feet high with a flat roof and parapet wall. Both buildings have a similar facade consisting of plaster finish, sheet metal, cementitious panels, metal panels, and decorative metal railing painted in earth tone colors.

#### Floor Plans

The office/warehouse building is 3 stories and 16,560 square feet consisting of office areas, production areas, storage areas, breakrooms, and other accessory uses on each floor. The retail building is 2 stories and 7,746 square feet consisting of 3,873 square feet of retail space on the first floor and 3,873 square feet of office space on the second floor.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates industrial projects have been approved in the area since the adoption of the land use plan and the proposed development is compatible with the existing and approved development in the area. The proposed development will not create an additional burden on public facilities and services over what the development proposed in the land use plan.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	R-E	Undeveloped
South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	R-E, C-2 & C-P	Vehicle sales & offices
West	Commercial Tourist	M-D	Distribution center & manufacturing facility is under development

The eastern portion of the subject site and the land to the east is in the Las Vegas Boulevard Gaming Corridor.

**Related Applications**

Application Number	Request
VS-19-0063	A vacation of easements is a companion item on this agenda.
UC-19-0061	A use permit for a Marijuana Establishment (Cultivation Facility) is a companion item on this agenda.
UC-19-0076	A use permit for a Marijuana Establishment (Production Facility) is a companion item on this agenda.
TM-19-500017	A tentative map for a commercial subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning  
Zone Change**

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

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

The Enterprise Land Use Plan was adopted in October 2014 and since then there has been a trend to provide more areas for light manufacturing and Business and Design/Research Parks to establish a more diverse economy for Southern Nevada. However, locations within the Enterprise Planning Area that are designated for Business and Design/Research Park development and were located in close proximity to existing residential developments have since been reclassified to residential zoning districts to allow for additional residential subdivisions. Therefore, to meet the demand for additional Business and Design/Research Park developments other suitable locations have to be found. In April of 2017, 11.6 acres abutting this site to the

west were reclassified to an M-D zone by NZC-0055-17 and are currently under construction as an office/warehouse complex. In January 2019, another 2.5 acres located 330 feet to the north were reclassified to an M-D zone by NZC-18-0865. The majority of the parcels abutting this site are undeveloped; therefore, this request would not change the character or condition of the area. Staff finds the application is appropriate for the location.

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

This site and the adjacent parcels are designated for Commercial Tourist use in the land use plan. Per the land use designation, this site could be developed with a high density residential project or a development with intense retail/commercial uses. The proposed project will be less intense than many uses that would be allowed by the Commercial Tourist land use category. The abutting properties to the west are currently being developed as an office/warehouse complex in an M-D zone that was approved by a nonconforming zone change application (NZC-0055-17) in April of 2017. A similar request for an office/warehouse complex in an M-D zone on a 2.5 acre parcel located 330 feet to the north was approved by a nonconforming zone change application (NZC-18-0865) in January 2019. Additionally, there are similar uses in existing M-D zone developments to the northwest and approximately 350 feet to the north. Staff finds that the proposed project is compatible with the existing developments to the north and west and with planned land uses to the east and south.

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

There have been no indications from public service providers that the proposed development will have an adverse effect on public facilities and services. An office/warehouse building will not have a direct impact on schools or parks. The proposed project will have less impact on public services and facilities in this area than other possible land uses allowed by the Commercial Tourist land use designation of the land use plan.

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

The project complies in part with Urban Specific Policy 1 of the Comprehensive Master Plan, which encourages growth patterns that promote employment opportunities/development. The proposed project is compatible with other development in the area and will complement these existing developments; therefore, the project complies with Business and Research Park Policy 99 which ensures that business and research park developments are complementary with abutting uses.

#### **Summary** **Zone Change**

Based on the analysis above, staff finds that there have been changes in trends, facts, and policies which make this request appropriate for the area. The intensity of the project is compatible with



other existing developments in this area. There will be no substantial adverse effect on public facilities and services, and the project conforms to other applicable goals and policies. Therefore, staff finds the applicant has provided a Compelling Justification for the proposed zone change to M-D for the western 1 acre portion of the site and can support this request. The proposed C-2 zoning for the eastern 1.1 acres conforms to the land use plan and staff also supports that portion of the request.

#### Design Review

Staff finds the proposed project complies with Title 30 Development Standards for on-site circulation and landscaping. Staff also finds the proposed architectural style of the buildings, and the overall site design, are consistent and compatible with existing developments in the area. The project design is appropriate for this area and provides for a development that furthers Title 30 and the Comprehensive Master Plan. Therefore, staff finds the request satisfies the criteria for a design review through site and building design and is compliant with applicable Urban Land Use Policies of the Comprehensive Master Plan.

#### **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.

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

#### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 3, 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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 design review application must commence within 4 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 30 feet for Windy Street;
- If required by the Regional Transportation Commission (RTC), provide a combination bus turnout/right turn lane on the north side of Warm Springs Road, as close as practical to Windy Street and include provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk;
- Nevada Department of Transportation approval.
- Applicant is advised the driveways must be a minimum of 35 feet wide, measured from the lip of gutter to the lip of gutter.

### **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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking

#0024-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: MOTOR HOLDINGS, LLC**  
**CONTACT: ELIZABETH ANDOSCIA, THE RED LTD., 8894 SPANISH RIDGE AVENUE,**  
**LAS VEGAS, NV 89148**

**DRAFT**



03/05/19 PC AGENDA SHEET

WARM SPRINGS & WINDY  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-19-500017-MOTOR HOLDINGS, LLC:**

**TENTATIVE MAP** for an industrial/commercial subdivision on 2.1 acres in a C-2 (General Commercial) (AE-65) Zone and M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the north side of Warm Springs Road and the west side of Windy Street within Enterprise. MN/pb/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-05-801-030

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

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: N/A
- Site Acreage: 2.1
- Number of Lots: 1
- Project Type: Industrial/commercial subdivision

The plans depict a 1 lot industrial/commercial subdivision for a proposed office/warehouse building and a proposed retail building. The proposed 16,560 square foot office/warehouse building is located on the western portion of the site and the 7,746 square foot retail building is located on the eastern portion of the site. The site will have access to Warm Springs Road and Windy Street. A 15 foot wide landscape area is located adjacent to an existing attached sidewalk along Warm Springs Road and a 10 foot wide landscape area is located adjacent to a proposed attached sidewalk along Windy Street.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	R-E	Undeveloped
South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	R-E, C-2 & C-P	Vehicle sales & offices

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
West	Commercial Tourist	M-D	Distribution center and manufacturing facility is under development

**Related Applications**

Application Number	Request
NZC-19-0060	A zone change to reclassify the site from R-E zone to C-2 zone and M-D zone with a design review for a warehouse and retail building is a companion item on this agenda.
UC-19-0061	A use permit for a Marijuana Establishment (Cultivation Facility) is a companion item on this agenda.
UC-19-0076	A use permit for a Marijuana Establishment (Production Facility) is a companion item on this agenda.
VS-19-0063	A vacation of easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

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

**Staff Recommendation**

Approval is contingent upon approval of NZC-19-0060. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 3, 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, 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;
- Traffic study and compliance;

- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Windy Street;
- If required by the Regional Transportation Commission (RTC), provide a combination bus turnout/right turn lane on the north side of Warm Springs Road, as close as practical to Windy Street and include provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk;
- Nevada Department of Transportation approval.
- Applicant is advised the driveways must be a minimum of 35 feet wide, measured from the lip of gutter to the lip of gutter.

**Current Planning Division - Addressing**

- No comment.

**Building Department - Geotechnical**

- The applicant is advised that compliance with NRS 278.325(4) is required if further subdividing of the property results in creating a boundary or line within a building;
- Any additional boundary lines created within 30 feet of any building will result in a reduction of allowable openings and may require fire-resistant-rated construction for the exterior walls;
- The applicant is advised that the site is located within a 2000-foot seismic buffer. New foundations that require a Geotechnical Investigation per Section 1803.2 of the Southern Nevada Building Code Amendments (SNBCA) will require an evaluation to address the potential for surface fault rupture per Appendix P of SNBCA. The evaluation could result in additional setback distances (no build zones) per SNBCA 1808.10 if faults are identified onsite;
- If, through exploration, the fault location is defined, historically approximated, or if the geotechnical report imposes a no-build zone, then the fault and the minimum setback shall be clearly shown on the grading plan, plot plan and final map; no portion of the foundation system shall be constructed within that zone. SNBCA Section 1808.10.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0024-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: MOTOR HOLDINGS, LLC  
CONTACT: ELIZABETH ANDOSCIA, THE RED LTD., 8894 SPANISH RIDGE AVENUE,  
LAS VEGAS, NV 89148**





03/05/19 PC AGENDA SHEET

MARIJUANA ESTABLISHMENT  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0061-MOTOR HOLDINGS, LLC:**

**USE PERMIT** for a proposed marijuana establishment (cultivation) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in a M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/pb/ja (For possible action)

RELATED INFORMATION:

**APN:**  
177-05-801-030 ptn

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

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

- Site Address: N/A
- Site Aereage: 2.1 total/1.0 M-D/1.1 C-2
- Number of Lots: 1 (portion)
- Project Type: Relocate an approved marijuana establishment (cultivation) facility
- Number of Stories: 3
- Building Height (feet): 52
- Square Feet: 16,560 (office/warehouse)/13,800 (cultivation)/2,760 (production)
- Parking Required/Provided: 66/104

**Site Plans**

The plans depict a proposed 16,560 square foot office/warehouse building located on the southern portion of the western 1 acre, M-D zoned portion of the site and a proposed 7,746 square foot retail building located on the southern portion of the eastern 1.1 acre, C-2 zoned portion of the site. Parking is located to the north of the buildings. The site will have access to Warm Springs Road and Windy Street via a driveway located on the southwest corner of the site and another driveway located on the northeast corner of the site.

**Landscaping**

A 15 foot wide landscape area is located adjacent to an existing attached sidewalk along Warm Springs Road and a 10 foot wide landscape area is located adjacent to a proposed attached sidewalk along Windy Street. A 10 foot wide landscape area is located along the western property line and a 6 foot wide landscape area is located along the northern property line. Interior parking lot trees are distributed throughout the site in accordance with Figure 30.64-14. Landscape materials include trees, shrubs, and groundcover.

**Elevations**

The office/warehouse building is 50 feet high with a maximum height of 52 feet for the parapet walls. The retail building is 37 feet high with a flat roof and parapet wall. Both buildings have a similar facade consisting of plaster finish, sheet metal, cementitious panels, metal panels, and decorative metal railing painted in earth tone colors.

**Floor Plans**

The office/warehouse building is 3 stories and 16,560 square feet consisting of the following:

- Cultivation rooms
- Trimming and curing areas
- Vault
- Office space
- Restrooms

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates Motor Holdings, LLC currently operates a medical/retail marijuana production and cultivation facility located at 3325 Pepper Lane. The purpose of this request is to relocate the cultivation facility to this location. The applicant also indicates that the site will provide a safe and secure location for a Cultivation facility. The security plan addresses the need for interior and exterior security of the facility and the transportation plan discusses the security of delivery services.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	R-E	Undeveloped
South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	R-E, C-2 & C-P	Vehicle sales & offices
West	Commercial Tourist	M-D	Distribution center and manufacturing facility is under development

The eastern portion of the subject site and the land to the east is in the Las Vegas Boulevard Gaming Corridor.

### Related Applications

Application Number	Request
NZC-19-0060	A zone change to reclassify the site from R-E zone to C-2 zone and M-D zone with a design review for a warehouse and retail building is a companion item on this agenda.
UC-19-0076	A use permit for a Marijuana Establishment (Production Facility) is a companion item on this agenda.
VS-19-0063	A vacation of easements is a companion item on this agenda.
TM-19-500017	A tentative map for a commercial subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 separation survey shows that all the required separations are being met. The crime report indicates that within a 1/2 mile radius, 105 crime reports were filed by Metro in the 60 days prior to application submittal.

The applicant submitted the required security and transportation plans. The security plan addresses the need for interior and exterior security of the facility, and the transportation plan discusses the security of delivery services. Building elevations indicate that a professional appearance will be maintained.

Staff is concerned about the proximity of the proposed marijuana establishment to the Las Vegas Boulevard Gaming Corridor. Although the proposed marijuana cultivation facility is not in the Las Vegas Boulevard Gaming Corridor the eastern portion of the parcel is and the building will be less than 10 feet from the boundary. Staff is concerned that a marijuana facility would have an undue adverse effect of adjacent properties and the character of the neighborhood. Furthermore, the request is not in harmony with the goals and objectives of the Clark County Comprehensive Master Plan specifically Goal 1 to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services, and facilities.

##### 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.

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 3, 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:

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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; 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 Windy Street;
- If required by the Regional Transportation Commission (RTC), provide a combination bus turnout/right turn lane on the north side of Warm Springs Road, as close as practical to Windy Street and include provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk;
- Nevada Department of Transportation approval.

- Applicant is advised the driveways must be a minimum of 35 feet wide, measured from the lip of gutter to the lip of gutter.

#### **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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0024-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: MOTOR HOLDINGS, LLC**  
**CONTACT: ELIZABETH ANDOSCIA, THE RED LTD., 8894 SPANISH RIDGE AVENUE,**  
**LAS VEGAS, NV 89148**



ACCESSORY STRUCTURE  
(TITLE 30)

MILLER LN/FORD AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
UC-19-0073-WOUDA-GOTTO, CHRISTINE:

**USE PERMITS** for the following: 1) allow an accessory structure to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards on 0.6 acres in an R-E (Rural Estates Residential) (RNP-1) Zone.

Generally located on the south side of Ford Avenue, 200 feet east of Miller Lane within Enterprise. JJ/sd/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-16-801-008

**USE PERMITS:**

1. Increase the area of an existing accessory structure (metal building) to 1,500 square feet where a maximum area of 1,349 square feet (50% of the footprint of the principal structure) is permitted per Table 30.44-1 (an 11% increase).
2. Allow an accessory structure (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
3. Allow non-decorative vertical metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

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

**BACKGROUND:**

**Project Description**  
General Summary

- Site Address: 7875 W. Ford Avenue
- Site Acreage: 0.6
- Project Type: Accessory structure
- Number of Stories: 1
- Building Height (feet): 15
- Square Feet: 1,500

### Site Plans

The plans depict an existing detached accessory structure (metal building) that is located in the south portion of the parcel and is setback 41 feet from the east property line, 5 feet from the rear property line, and 40 feet from west property line. The existing structure was built without permits and was cited by Clark County Public Response Office, which lead to the applicant submitting this application, which has resolved the complaint. The existing 2,699 square foot single family residence is located in the center portion of the parcel. The accessory metal building is separated from the existing residence by 35 feet. The property is enclosed by a 6 foot high decorative block wall. Access to the accessory metal building is from an existing driveway along the east property line made of type II gravel and a concrete pad exists along the east elevation adjacent to the roll-up door.

### Landscaping

No changes are proposed or required to the existing landscaping.

### Elevations

The plans depict an existing metal building that is 15 feet in height and is 30 feet wide by 50 feet long with vertical metal siding and a slightly pitched roof. The building has 1 roll-up door that is 12 feet by 10 feet and a 36 inch wide entrance door on the opposite side. The other exterior elevations will not incorporate any windows or other decorative features.

### Floor Plans

The plans show a 1,500 square foot metal building with an open floor plan.

### Applicant's Justification

The applicant states that the existing accessory metal building will create additional space that they will use for additional storage, including storage of work tools. Besides storage, the applicant plans to hold family gatherings inside the accessory building. The applicant has stated when visitors are at his house they will park off-street on type II gravel located on the east portion of the parcel. In addition, the applicant will paint the metal building to match the existing residence.

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E zone 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	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residence
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	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**

##### 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 reviews use permit requests to ensure compatibility with existing and planned development in the area. The proposed metal building is to scale with the size of the property. The increase in the overall square footage of the metal building from the maximum size allowed is 151 square feet, which staff finds to be minimal. Staff finds the accessory metal building incorporates proper building placement on the site and will meet all requisite setbacks. The applicant is also the owner of the parcel directly to the south, which would be the most impacted property.

##### Use Permit #2 & #3

Although the metal building is not constructed of stucco, nor has architectural enhancements, the metal building will be partially screened by an existing 6 foot high block wall. The adjacent parcel directly to the south is also owned by the applicant and is undeveloped. Staff believes potential impacts can be further reduced if large trees are planted to provide a buffer to adjacent properties. The metal building will be placed in the rear yard and buffered from Ford Avenue by the existing residence. The applicant has also stated that he will paint the metal building to match the residence.

#### **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**

- 1 year to complete with any extension of time to be a public hearing;
- Metal building shall be painted to match the single family residence;
- Large trees to be planted every 20 feet on the west side of metal structure to incorporate screening to adjacent properties;
- 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; 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: CHRISTINE WOUDA**

**CONTACT: CHRISTINE WOUDA, 3181 W BELL VISTA AVENUE, PAHRUMP, NV 89060**

**DRAFT**

03/05/19 PC AGENDA SHEET

MARIJUANA ESTABLISHMENT  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0076-MOTOR HOLDINGS, LLC:

USE PERMIT for a proposed marijuana establishment (production) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in a M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/pb/ja (For possible action)

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RELATED INFORMATION:

APN:

177-05-801-030

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.1 total/1.0 M-D/1.1 C-2
- Number of Lots: 1
- Project Type: Relocate an approved marijuana establishment (production) facility
- Number of Stories: 3
- Building Height (feet): 52
- Square Feet: 16,560 (office/warehouse)/13,800 (cultivation)/2,760 (production)
- Parking Required/Provided: 66/104

Site Plans

The plans depict a proposed 16,560 square foot office/warehouse building located on the southern portion of the western 1 acre, M-D zoned portion of the site and a proposed 7,746 square foot retail building located on the southern portion of the eastern 1.1 acre, C-2 zoned portion of the site. Parking is located to the north of the buildings. The site will have access to Warm Springs Road and Windy Street via a driveway located on the southwest corner of the site and another driveway located on the northeast corner of the site.

Landscaping

A 15 foot wide landscape area is located adjacent to an existing attached sidewalk along Warm Springs Road and a 10 foot wide landscape area is located adjacent to a proposed attached sidewalk along Windy Street. A 10 foot wide landscape area is located along the western property line and a 6 foot wide landscape area is located along the northern property line. Interior parking lot trees are distributed throughout the site in accordance with Figure 30.64-14. Landscape materials include trees, shrubs, and groundcover.

Elevations

The office/warehouse building is 50 feet high with a maximum height of 52 feet for the parapet walls. The retail building is 37 feet high with a flat roof and parapet wall. Both buildings have a similar facade consisting of plaster finish, sheet metal, cementitious panels, metal panels, and decorative metal railing painted in earth tone colors.

Floor Plans

The office/warehouse building is 3 stories and 16,560 square feet consisting of the following:

- Production room
- Packaging area
- Office space
- Restrooms

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates Motor Holdings, LLC currently operates a medical/retail marijuana production and cultivation facility located at 3325 Pepper Lane. The purpose of this request is to relocate the production facility to this location. The applicant also indicates that the site will provide a safe and secure location for a production facility. The security plan addresses the need for interior and exterior security of the facility and the transportation plan discusses the security of delivery services.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	R-E	Undeveloped
South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	R-E, C-2 & C-P	Vehicle sales & offices
West	Commercial Tourist	M-D	Distribution center & manufacturing facility is under development

The eastern portion of the subject site and the land to the east is in the Las Vegas Boulevard Gaming Corridor.

### Related Applications

Application Number	Request
NZC-19-0060	A zone change to reclassify the site from R-E zone to C-2 zone and M-D zone with a design review for a warehouse and retail building is a companion item on this agenda.
VS-19-0063	A vacation of easements is a companion item on this agenda.
UC-19-0061	A use permit for a Marijuana Establishment (Cultivation Facility) is a companion item on this agenda.
TM-19-500017	A tentative map for a commercial subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 separation survey shows that all the required separations are being met. The crime report indicates that within a 1/2 mile radius, 105 crime reports were filed by Metro in the 60 days prior to application submittal.

The applicant submitted the required security and transportation plans. The security plan addresses the need for interior and exterior security of the facility, and the transportation plan discusses the security of delivery services. Building elevations indicate that a professional appearance will be maintained.

Staff is concerned about the proximity of the proposed marijuana establishment to the Las Vegas Boulevard Gaming Corridor. Although the proposed marijuana production facility is not in the Las Vegas Boulevard Gaming Corridor the eastern portion of the parcel is and the building will be less than 10 feet from the boundary. Staff is concerned that a marijuana facility would have an undue adverse effect of adjacent properties and the character of the neighborhood. Furthermore, the request is not in harmony with the goals and objectives of the Clark County Comprehensive Master Plan specifically Goal 1 to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services, and facilities.

##### Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 3, 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:

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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; 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 Windy Street;
- If required by the Regional Transportation Commission (RTC), provide a combination bus turnout/right turn lane on the north side of Warm Springs Road, as close as practical to Windy Street and include provisions for a 5 foot by 25 foot bus shelter pad casement behind the sidewalk;
- Nevada Department of Transportation approval.
- Applicant is advised the driveways must be a minimum of 35 feet wide, measured from the lip of gutter to the lip of gutter.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0024-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MOTOR HOLDINGS, LLC**  
**CONTACT: ELIZABETH ANDOSCIA, THE RED LTD., 8894 SPANISH RIDGE AVENUE,**  
**LAS VEGAS, NV 89148**

**DRAFT**





03/05/19 PC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

CACTUS AVE/DEAN MARTIN DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-19-0035-BOUQUET, INC.:

VACATE AND ABANDON a portion of right-of-way being Dean Martin Drive located between Cactus Avenue and Conn Avenue (alignment) and a portion of Cactus Avenue located between Dean Martin Drive and Polaris Avenue within Enterprise (description on file). JJ/sv/mh  
(For possible action)

RELATED INFORMATION:

APN:  
177-32-101-004; 177-32-101-005

LAND USE PLAN:  
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

**Project Description**

The plans depict the vacation and abandonment of 5 feet of right-of-way along the south side of Cactus Avenue (north side of parcel), approximately 191 feet in length, and 5 feet of right-of-way along the west side of Dean Martin Drive (east side of parcel), approximately 229 feet in length. The applicant states that the site is currently occupied by two homes, which will be demolished. The vacation is required to accommodate detached sidewalks along each street frontage.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-18-0058	Reduced separation from a convenience store, gasoline station, vehicle wash to a residential use with a design review for modifications to an approved convenience store with a gasoline station and vehicle wash	Approved by BCC	May 2018
NZC-0292-17	Reclassified the site from R-E to C-1 zoning and included use permits, waivers of development standards, and a design review for a convenience store with a gasoline station and an automated vehicle wash	Approved by BCC	July 2017

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-1	Convenience store with gasoline station & vehicle wash
South	Residential Suburban (up to 8 du/ac)	R-3	Multiple family residential development
East	Residential Medium (3 du/ac to 14 du/ac)	R-E	Single family residence
West	Residential Suburban (up to 8 du/ac)	R-E	Single family residence

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

##### Public Works - Development Review

Staff has no objection to the vacation of rights-of-way 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:** MCCAY ENGINEERING  
**CONTACT:** MCCAY ENGINEERING, 11700 W. CHARLESTON BLVD, SUITE 170-298,  
LAS VEGAS, NV 89135

**DRAFT**



03/05/19 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**YS-19-0063-MOTOR HOLDINGS, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue, and between Windy Street and I-15 within Enterprise (description on file). MN/pb/ja (For possible action)

RELATED INFORMATION:

APN:  
177-05-801-030

LAND USE PLAN:  
ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

The plans depict the vacation of 33 foot wide government patent easements along the northern and western boundary, and a 3 foot wide portion of the government patent easement along the eastern boundary of the parcel. The applicant indicates that the easements are no longer required and approval of this application will allow development of the parcels.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	R-E	Undeveloped
South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	R-E, C-2 & C-P	Vehicle sales & offices
West	Commercial Tourist	M-D	Distribution center & manufacturing facility is under development

**Related Applications**

Application Number	Request
NZC-19-0060	A zone change to reclassify the site from R-E zone to C-2 zone and M-D zone with a design review for a warehouse and retail building is a companion item on this agenda.

### Related Applications

Application Number	Request
UC-19-0061	A use permit for a Marijuana Establishment (Cultivation Facility) is a companion item on this agenda.
UC-19-0076	A use permit for a Marijuana Establishment (Production Facility) is a companion item on this agenda.
TM-19-500017	A tentative map for a commercial subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Public Works - Development Review

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

##### Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 3, 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

- 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 30 feet for Windy Street;
- 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: MOTOR HOLDINGS, LLC  
CONTACT: ELIZABETH ANDOSCIA, THE RED LTD., 8894 SPANISH RIDGE AVENUE,  
LAS VEGAS, NV 89148**

**DRAFT**





03/05/19 PC AGENDA SHEET

RESIDENTIAL DEVELOPMENT  
(TITLE 30)

CIMARRON RD/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0023-RBM TRUST & MILLER, RAYMOND A. & BARBARA A. TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a proposed single family residential lot to have direct access to a collector street (Cimarron Road); and 2) reduce gross lot area in conjunction with a proposed single family residential development on 2.1 acres in an R-E (Rural Estates Residential) (RNP-1) Zone.

Generally located on the southeast corner of Cimarron Road and Ford Avenue within Enterprise. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:

176-16-801-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow direct access and frontage to a collector street (Cimarron Road) for a proposed single family residential lot where not permitted per Section 30.56-080.
2. Reduce the gross lot area for a lot to 19,047 square feet where a minimum of 20,000 square feet is required per Table 30.40-1 (a 5% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8145 W. Ford Avenue
- Site Acreage: 2.1
- Number of Lots/Units: 4
- Minimum/Maximum Lot Size (square feet): 19,047/29,505 (gross)/18,756/29,505 (net)
- Project Type: Single family residential development

**Site Plans**

The plans depict a proposed single family residential development consisting of 4 lots located on the corner of Cimarron Road and Ford Avenue. The applicant is proposing a single family residential development where 1 lot, Lot 4, will have direct access onto a collector street (Cimarron Road). The other 3 lots will have direct access to a local street (Ford Avenue). Lot 4

does not meet the minimum gross lot area due to the dedication of a larger right-of-way for a street light and traffic control easement along Cimarron Road.

Applicant's Justification

The applicant states that the proposed project is within an RNP area and that Cimarron Road, though a collector street, does not have the traffic flow like a typical collector street. According to the applicant the dedication of the larger right-of-way on Cimarron Road makes it difficult to achieve the minimum gross lot area of 20,000 square feet.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0550-14	Waived off-site improvements along Cimarron Road (curbs, gutters, sidewalk, streetlights, reduced paving). - expired	Approved by BCC	February 2014
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E zone to R-E (RNP-I) zone	Approved by BCC	October 2005

**Surrounding Land Use**

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

**Related Applications**

MSM-18-600098	Minor Subdivision Map for 4 residential lots.
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**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**

While Cimarron Road is not a fully improved collector street, it is planned as an 80 foot wide right-of-way on the Clark County Transportation Element. While staff understands that Cimarron Road may not function as a traditional collector street at this time, the future plan is for a practical and functional collector street that provides access between Wigwam Avenue and

Pebble Road. This will help with circulation in the area in the future, even within an RNP area. Staff finds that a redesign consistent with site designs in most RNP areas, consisting of a 4 lot cul-de-sac with private drive, would achieve the same density and preclude direct access onto Cimarron Road. There is adequate lot area to accommodate an alternative design without having direct access to Cimarron Road. Staff finds that the current site design may provide future vehicular conflicts. Staff supports lots that front onto local streets as access onto collector streets is not recommended. Although the properties to the east has a similar design they have access to a local street. Therefore, staff finds the request is a self-imposed hardship due to the proposed layout of the development and cannot support this request.

#### Waiver of Development Standards #2

The applicant is also requesting a reduction to the minimum gross lot area for Lot 4, from 20,000 square foot minimum to a gross lot area of 19,047 square feet. Staff finds that a redesign consistent with site designs in most RNP areas, of 4 lot cul-de-sac with private drive, would achieve the same density and comply with the minimum lot size requirements for the zoning district. Review of the plans show Lot 3 is 29,505 square feet and could still meet the minimum gross lot area requirements by reducing the size of Lot 3, thus able to increase the size of Lot 4. Therefore, staff cannot support this request.

#### **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:

- On-site turnaround (circular driveway) on proposed Lot #4 to preclude the backing of vehicles onto Cimarron Road
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking

#0557-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: RBM TRUST**  
**CONTACT: JOSH HARNEY, BAUGHMAN & TURNER INC., 1210 HINSON STREET,  
LAS VEGAS, NV 89102**

**DRAFT**

03/05/19 PC AGENDA SHEET

REDUCE PARKING  
(TITLE 30)

FORD AVE/LINDELL RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-19-0037-DENT II, LLC, ET AL:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.

**DESIGN REVIEW** for security fencing for outside storage in conjunction with a single business within an existing office/warehouse complex on 5.6 acres in an M-D (Design 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. JJ/sd/ma (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-13-411-028

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce parking to 144 spaces where 149 spaces were previously approved (a 3.4% reduction) and where a minimum of 203 spaces are required per Table 30.60-1 (a 29.1 % reduction).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8725 Lindell Road (project site)/8705 and 8775 Lindell Road (overall site)
- Site Acreage: 5.6
- Project Type: Parking reduction in conjunction with 1 business
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 5,891 (Building D)/91,674 (overall complex)
- Parking Required/Provided: 203/144

**Site Plans**

The plans depict an existing office/warehouse complex consisting of 8 buildings on 15 individual parcels. Access to the site is granted via commercial driveways along La Costa Canyon Court, Lindell Road, and Ford Avenue. This application addresses a single fenced area associated with

the west half of Building D, located within the existing office/warehouse complex, with shared parking. The applicant within Building D is proposing to install security fencing (chain-link) for equipment storage in the rear area of the site (APN 176-13-411-030). The 6 existing parking spaces in the proposed storage yard would be removed and would not be available to other businesses or customers within the complex.

Previous waivers to reduce parking include (WS-0708-14) for a recording studio resulting in a parking reduction from 249 parking spaces to 194 spaces. A second waiver (WS-0843-15) reduced parking from 249 required spaces to 155 spaces and (WS-18-0875) reduced parking from 249 required spaces to 149 spaces and approved to permit security fencing. An additional approval of this application will allow only 144 parking spaces to remain open for the entire complex.

Landscaping

All street and site landscaping exists and no changes are proposed or required to the existing landscaping.

Elevations

No changes are proposed to the exterior of the existing building. The existing buildings within the complex are 28 feet high and are constructed of concrete tilt-up panels. The proposed security fencing will consist of a chain-link fence with plastic slats and barbed wire at an overall height of 8 feet. An 8 foot high block wall exists along the north property line.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the enclosure of this area behind his building is necessary to prevent theft of equipment that is stored outside overnight. This area is utilized for day to day work associated with their business and will be open during business hours for truck pickup and deliveries. The chain-link fence with gates will be closed after hours for security of their equipment.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0875	Reduced parking for outside storage	Approved by PC	December 2018
WS-0843-15	Reduced parking for outside storage	Approved by PC	February 2016
WS-0708-14	Reduced parking for the complex to allow a recording studio	Approved by PC	October 2014
WS-0586-14	Reduced parking for the complex to allow the expansion of a place of worship	Approved by PC	August 2014
UC-0855-08	Place of worship within complex	Approved by PC	October 2008

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0051-07	Waived setback with a design review for office/warehouse development.	Approved by PC	February 2007
ZC-1584-98	Reclassified to M-D zoning	Approved by BCC	November 1998

**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 residential development & undeveloped
South	Business and Design/Research Park	M-D	Undeveloped
East	Business and Design/Research Park	M-D	Plant nursery
West	Business and Design/Research Park	M-D	Office/warehouse complex

**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 and Design Review

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.

Required parking for this complex has now been reduced 4 different times to allow for various uses, including a place of worship, a recording studio, and to allow for outside storage. However, approving this application to enclose the area as shown will restrict available parking for the other businesses operating in the complex, and block through traffic to adjacent tenants within the complex. Staff is concerned over the ongoing trend of businesses converting parking areas for outside storage, which will create parking issues for the overall complex.

Per Table 30.60-1, all manufacturing and warehouse uses require 1.5 parking spaces per 1,000 square feet of gross floor area. The applicant's business alone will require a total of 9 parking spaces, where the applicant's site will only have 5 parking spaces available in front of the building if the rear is converted for outside storage purposes. Therefore, the applicant's parcel by itself would not have enough parking to support the business on the site.

**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; 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.

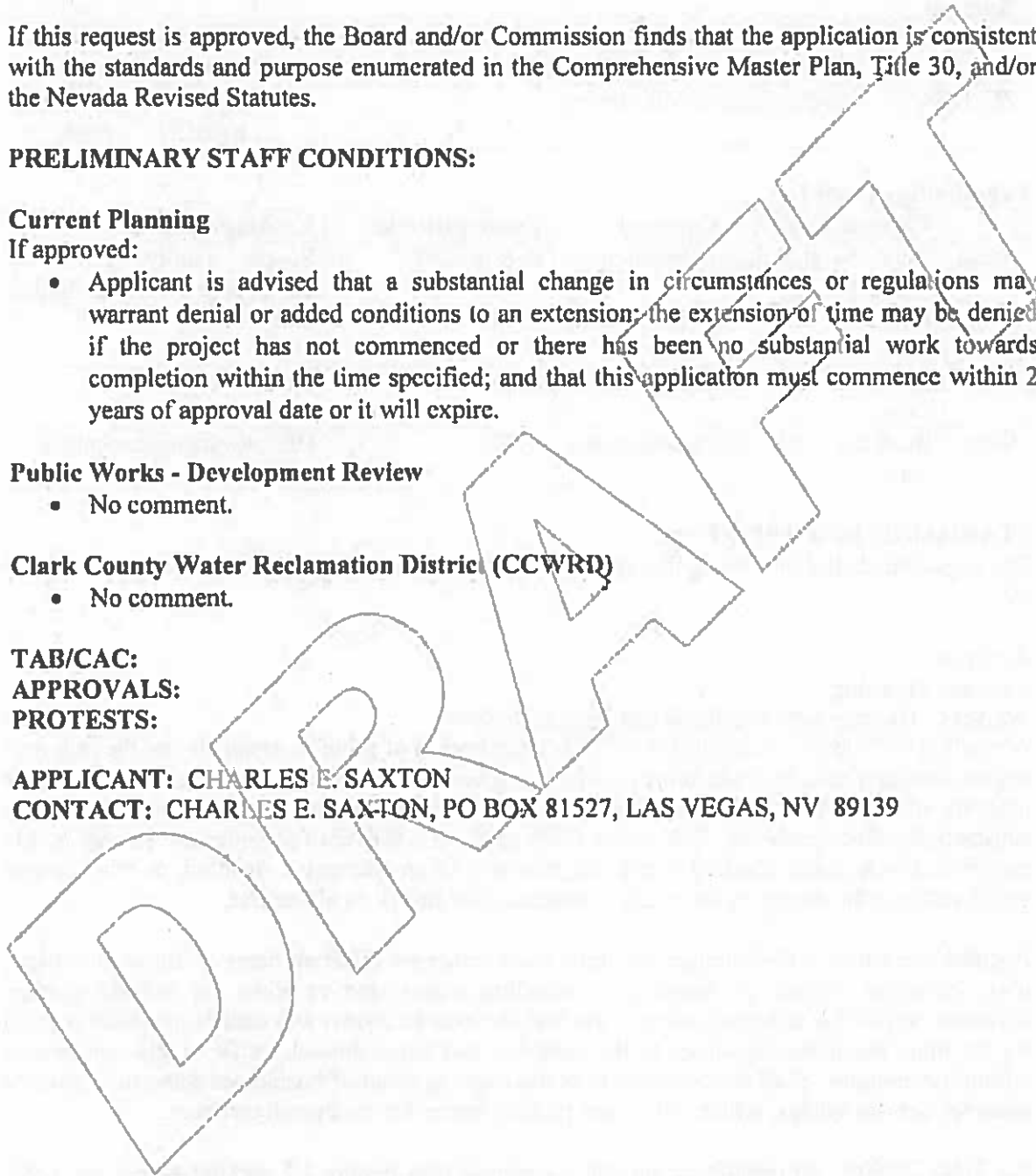
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHARLES E. SAXTON**

**CONTACT: CHARLES E. SAXTON, PO BOX 81527, LAS VEGAS, NV 89139**





03/05/19 PC AGENDA SHEET

DRIVEWAYS  
(TITLE 30)

MERANTO AVE/MONTESSOURI ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0038-CONNALLY, LISA D. & LEON G. TRUST, ET AL:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a driveway within a corner radius; and 2) increase the amount of driveways in conjunction with an existing single family residence on 0.6 acres in an R-E (Rural Estates Residential) RNP-1 Zone.

Generally located on the southeast corner of Meranto Avenue and Montessori Street within Enterprise. JJ/jor/ja (For possible action)

RELATED INFORMATION:

APN:

176-22-710-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a driveway within a corner radius where 12 feet is the minimum per Clark County Uniform Standard Drawing 222.
2. Increase the amount of driveways to 2 driveways where 1 is allowed per Clark County Uniform Standard Drawing 222 (a %100 increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 9415 Rose Willow Court
- Site Acreage: 0.6
- Density (du/ac): 2
- Project Type: Driveway requirements
- Number of Stories: 1 (primary residence and detached garage)
- Building Height (feet): 17 (primary residence)/21 (detached garage)

Site Plan

The site plan depicts an existing single family residence with the front of the residence facing east towards Rose Willow Court. The applicant is currently in the building permit phase to construct a detached garage on the northwest corner of the site (rear yard). The applicant is

proposing to construct a secondary driveway on the northeast corner of the site which will run across the applicant's property to accommodate the detached garage.

Landscaping

Landscaping is not a part of this request.

Elevations

The elevation plans show a prefabricated metal structure with a pitched brown metal roof and horizontal tan metal siding to match the existing residence. The doors will be painted dark green to match the garage doors of the primary residence. Metal decorative trim will be installed around all of the windows, doors, and building corners of the detached garage to break-up the continuous horizontal pattern of the metal exterior siding. The existing residence consists of stone veneer, pitched roofs, and different hues of brown stone, and dark green garage doors.

Floor Plans

The existing residence has an overall square footage of 3,491 square feet which includes bedrooms, 3 car garage, laundry room, great room, dining room, kitchen, courtyard, guest area and foyer. The detached garage has an overall area of 1,620 square feet with enlarged door openings for the applicant's vehicles.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the subject property has 2 existing gates on the northeast corner of the site. The first gate is 14 feet wide, and the second gate is 3 feet wide. The applicant would like to utilize the 14 foot wide gate in conjunction with the detached garage. If the proposed driveway were to comply with the 12 foot back of curb radius, both existing gates would need to be removed and the 14 foot wide gate would be installed closer to the existing residence which creates access to the detached garage difficult. The detached garage and proposed secondary driveway would not be utilized for daily use.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0699-17	Vacated a portion of right-of-way for Richmar Avenue - recorded	Approved by BCC	October 2017
DR-0504-17	Modifications to a previously approved single family residential development to allow additional models	Approved by BCC	August 2017
WC-0144-16 (WS-0253-16)	Waived conditions of a waiver of development standards requiring right-of-way dedication to include 30 to 60 feet for Meranto Avenue, 30 to 60 feet for Montessouri Street, 30 to 60 feet for Rosanna Street, 30 feet for Richmar Avenue and all associated spandrels in conjunction	Approved by BCC	December 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
WC-0143-16 (TM-0053-16)	Waived conditions of a tentative map requiring right-of-way dedication to include 30 feet to 60 feet for Meranto Avenue, 30 feet to 60 feet for Montessouri Street, 30 feet to 60 feet for Rosanna Street, 30 feet for Richmar Avenue and all associated spandrels	Approved by BCC	December 2016
VS-0645-16	Vacated easements of interest to Clark County - recorded	Approved by BCC	December 2016
TM-0053-16	A single family residential development	Approved by BCC	June 2016
TM-0042-16	A single family residential development	Approved by BCC	June 2016
WS-0253-16	Reduced front setback with design reviews for a single family residential development, and increase finished grade	Approved by BCC	June 2016
WS-0213-16	Increased wall height, full off-site improvements and reduced street intersection off-set with design reviews for proposed single family residential subdivision, and increased the finish grade	Approved by BCC	June 2016
ZC-1026-05	Reclassified 3,800 parcels from R-E zoning to RNP-I zoning	Approved By BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, South, & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residences

**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 request for 2 driveways on the site to be problematic since one of the driveways is within the spandrel at the corner of Meranto Avenue and Rose Willow Court, where it is required

to be a minimum of 12 feet from the point of tangency of that spandrel. The location of the driveway is approximately 17 feet closer to the intersecting roadway than permitted by the standard drawings. As a result of the proximity of the driveway to the intersection, staff cannot support neither the request for a 2nd driveway on the site nor the location of the proposed 2nd driveway.

**Public Works 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.

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

- No comment.

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

**APPLICANT: LEON CONNALLY**

**CONTACT: LEON CONNALLY, 9415 ROSE WILLOW COURT, LAS VEGAS, NV 89178**

03/05/19 PC AGENDA SHEET

PROJECT IDENTIFICATION SIGN  
(TITLE 30)

REYNOLDS SPRING ST/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0049-SKYLINE RIDGE HOMEOWNERS ASSOCIATION:**

**WAIVER OF DEVELOPMENT STANDARDS** for a project identification sign not at the primary entrance of a single family residential subdivision on 0.2 acres in an RUD (Residential Urban Density) Zone.

Generally located on the west side of Reynolds Spring Street, 200 feet north of Ford Avenue within Enterprise. JJ/rk/ma (For possible action)

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RELATED INFORMATION:

**APN:**  
176-18-310-131

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

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: N/A
- Site Acreage: 0.2
- Project Type: Project identification sign
- Sign Height (feet): 7
- Square Feet: 20

Site Plans

This application is required due to the proposed location of a project identification sign for a single family residential subdivision. The sign identifies Skyline Ridge subdivision that is currently under construction. The sign will be located in a common element lot that provides pedestrian access on the west side of Reynolds Spring Street which is not at the primary entrance or corner of the development. The major corner/entrance of this subdivision is Cougar Avenue and Reynolds Spring Street, 420 feet north of the subject sign.

Sign Elevation

The sign will be 7 feet in height with an approximate area of 20 square feet. The sign will consist of a non-illuminated aluminum cabinet face with cut-out lettering on 2 support posts. The sign has design elements that are compatible with the residential subdivision.

**Applicant's Justification**

The applicant indicates when this subdivision was mapped, common lots were mostly nonexistent. Therefore, there is no available space for the proposed sign other than the subject common lot which face Reynolds Spring Street.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0151-13	Reclassified 21.5 acres from R-E to RUD zoning for a single family residential development	Approved by BCG	May 2013
VS-0152-13	Vacated and abandoned easements of interest to Clark County and a portion of right-of-way being Conquistador Street	Approved by BCC	May 2013
TM-0042-13	Single family residential development	Approved by PC	June 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential High (8 du/ac to 18 du/ac)	RUD	Skyline Ridge residential subdivision
East	Public Facilities	P-F	Undeveloped & Forbuss Elementary School

**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 finds this request meets most regulations and provisions under Title 30 and will be constructed of material consistent with the project's overall design theme. Staff finds the project identification sign will not be a detriment to the surrounding area; therefore, can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Support posts to have design elements and color similar to sign face.
- 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: BARRY GOFF**

**CONTACT: BARRY GOFF, 6007 MOLEOD DRIVE LAS VEGAS, NV 89120**





03/05/19 PC AGENDA SHEET

**FREESTANDING SIGN  
(TITLE 30)**

**ROBERT TRENT JONES LN/I-15**

**PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
WS-19-0053-OLYMPIA STORAGE SYSTEMS, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a freestanding sign along a freeway; 2) increase sign height; and 3) increase sign area.

**DESIGN REVIEW** for an on-premises freestanding sign in conjunction with an approved mini warehouse complex on 4.7 acres in a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

Generally located on the south side of Robert Trent Jones Lane and the west side of I-15 within Enterprise. JJ/rk/ma (For possible action)

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**RELATED INFORMATION:**

**APN:**  
191-08-210-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a freestanding sign along a freeway where not permitted per Table 30.72-1.
2. Increase the height of a freestanding sign to 46.5 feet where 28 feet is allowed by the Residential Protection Standards per Table 30.72-1 (a 66% increase).
3. Increase the area of a freestanding sign to 864 square feet where a maximum area of 117.5 square feet is permitted per Table 30.72-1 (a 635% increase).

**LAND USE PLAN:**

**ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) -  
COMMERCIAL TOURIST**

**BACKGROUND:**

**Project Description  
General Summary**

- Site Address: 3001 Robert Trent Jones Lane
- Site Acreage: 4.7
- Project Type: On-premises freestanding sign
- Sign Height (feet): 46.5
- Square Feet: 864

### Site Plan/History

The approved plans for this project depict a self-storage facility consisting of 3 buildings comprised of a 20,900 square foot self-storage building, a 13,950 square foot self-storage building, a 2,000 square foot manager's quarters and office, as well as covered RV parking consisting of approximately 82 spaces. The parcel is oriented along the west side of the freeway in a north/south direction, approximately 1,449 feet in length, and 117 feet in width. The subject parcel itself is situated between a single family residential development to the west and the off ramp to the freeway to the east. Access to the site will come from Robert Trent Jones Lane which terminates at the entry to the self-storage complex to the north. Additionally, there are 2 existing billboards which will remain on the property.

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; therefore, this site is now regulated by the current Code (Title 30).

### Freestanding Sign

The plans depict the location, height, square footage, and material being used for the on-premises freestanding sign. Due to the project's design, location along I-15, and the prevalence of existing billboards on-site, the applicant is requesting a sign design that is similar in nature to the existing off-premises signs in the area. The sign location is immediately adjacent to the RV garage units, set back 63 feet from the single family development to the west. The proposed elevations reveal a structure that is 46.5 feet in height from finished grade to the top of the sign, with a 48 foot by 18 foot billboard style sign area that faces in a north/south direction. It will be almost identical to the existing off-premises signs. The sign will match the existing billboards in color and will consist of printed vinyl lettering showing "Southern Highlands RV & Mini Storage".

### Applicant's Justification

According to the applicant the materials being used for this sign are the exact same materials that were used for a sign that NDOT removed from the southern end of this property when they secured additional right-of-way and built the St. Rose/Southern Highlands interchange. Olympia Media group chose not to re-install the billboard because of the costs involved and given that the property is now 40 feet below the grade of the off-ramp.

The applicant indicates that even though residential adjacency allows only 28 foot high signs, Lennar Homes was informed of the mini-warehouse entitlement prior to Southern Highlands selling the adjacent land to Lennar Homes. The residents who live adjacent to the site have existing billboards now at similar heights; therefore, the applicant believes they are not introducing a type of use or structure that does not already exist. This property has approximately 94 feet of street frontage along Robert Trent Jones Lane which would permit 117.5 square feet of signage. For informational purposes, if there was a street that ran adjacent to the entire length of the property (1,149 linear feet), approximately 1,811 square feet would be allowed by Code. Finally, the applicant is requesting signage along a freeway as there is no other reasonably visible area for signage since the project is at the dead-end street which terminates at I-15.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0613-14	Mini-warehouse complex, watchman's quarters, and increased wall height	Approved by PC	September 2014
ZC-1604-99	Reclassified this site to C-2 zoning which was a part of mixed use zone change request for the Southern Highlands Master Planned Community and included a use permit for modified development standards	Approved by BCC	December 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project - Commercial Tourist	H-1	Undeveloped, multi-family complex
South & West	Major Development Project - Commercial Tourist	R-2	Partially developed single family subdivision
East*	Commercial Tourist	H-1	Undeveloped

\*Immediately to the east is I-15.

**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.

Staff finds that the proposed height, size, and location of the freestanding 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. The intent of the sign provisions listed in Table 30.72-1 is to discourage signs which contribute to visual clutter of the streetscape, and ensure that signage enhances the overall development and the immediate area. Therefore, the proposed request for signage on this site is excessive and is not compliant with the Comprehensive Master Plan, Title 30, and other applicable goals and policies.

Design Review

Approval of the design review is contingent upon approval of the waivers of development standards which staff does not support. Staff finds that the design of the sign does not meet the

standards for approval required for a design review because it fails to meet the sign regulations in Title 30. Therefore, with these inconsistencies, staff cannot support this request.

**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**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: DEBI GUMA**

**CONTACT: DEBI GUMA, SOUTHERN HIGHLANDS DEVELOPMENT, 11411 SOUTHERN HIGHLANDS PARWAY, SUITE 300, LAS VEGAS, NV 89141**

03/06/19 BCC AGENDA SHEET

OUTSIDE STORAGE YARD  
(TITLE 30)

PEBBLE RD/BRONCO ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-18-400254 (NZC-0449-15)-HAFEN I, LLC:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 2.4 acres from H-2 (General Highway Frontage) Zone to M-1 (Light Manufacturing) Zone in the MUD-2 Overlay District. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setback for proposed gates; and 2) cross access and shared parking easements. **DESIGN REVIEW** for an outside storage yard.

Generally located on the west side of Bronco Street, 300 feet south of Pebble Road within Enterprise (description on file). JJ/tk/dg/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-23-501-014

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

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Outside storage yard
- Square Feet: 67,891 (total outside storage yard)
- Parking Required/Provided: 9/11

**Request & Site plans**

The current request is only for the western parcel (176-23-501-014) which will be utilized as an outside storage yard consisting of 67,891 square feet with 11 parking spaces. A proposed 8 foot high screened security fence will surround the property. Access to the site is from the Bronco Street cul-de-sac. The setback for the proposed automatic gate is 18 feet with the gate locked at all times, including during business hours.

The approved plans depict 2 parcels for a total of 5 acres located at the southern terminus of Bronco Street. The eastern parcel (176-23-501-015) would consist of a proposed 95,702 square foot outside storage yard, 3,516 square foot maintenance building, 1,201 square foot covered maintenance area, and 17 parking spaces. The western parcel (176-23-501-014) was intended to

be utilized as a 67,891 square foot outside storage yard with 11 parking spaces. A proposed 8 foot high screened security fence surrounded both parcels. Both parcels were intended to have separate access points to the Bronco Street cul-de-sac. The setbacks for the proposed automatic gates are 18 feet where 50 feet is required. The gates will be locked at all times, including during business hours.

#### Landscaping

The approved plans depict a 6 foot wide landscape area adjacent to an attached sidewalk around the cul-de-sac bulb for Bronco Street. The landscape materials consist of trees, shrubs, and groundcover.

#### Previous Conditions of Approval

Listed below are the approved conditions for NZC-0449-15:

##### Current Planning

- A resolution of intent to complete construction in 3 years;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include a cul-de-sac at the proposed south end of Bronco Street;
- Vacate any unnecessary patent easements.

##### Building/Fire Prevention

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

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

- Applicant is advised that location of existing public sanitary sewer is greater than 400 feet from the parcel.

#### Applicant's Justification

The applicant states that due to unforeseen circumstances the project was delayed; however, they are now ready to proceed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0449-15	Original zone change to M-1 for vehicle maintenance and outside storage	Approved by BCC	September 2015

**Surrounding Land Use**

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

**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. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that due to the unforeseen circumstances that caused delays in the construction of this project, and because this is the first extension of time request, staff can support a 2 year extension to complete the project.

**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**

- Resolution of Intent to complete in 2 years;
- Design review as a public hearing for future development.
- 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: AMBER BEDARD**

**CONTACT: AMBER BEDARD, LAND BARON INVESTMENTS, 10789 W. TWAIN AVE  
2ND FLOOR, HENDERSON, NV 89135**

**DRAFT**



03/06/19 BCC AGENDA SHEET

CONCRETE BATCH PLANT/SAND & GRAVEL/  
DETENTION BASIN  
(TITLE 30)

CACTUS AVE/AMIGO ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-18-400274 (UC-2093-96)-CAPSTONE CHRISTIAN SCHOOL:**

**USE PERMITS SIXTH EXTENSION OF TIME** to complete the following: 1) a temporary batch plant; and 2) additions to an existing temporary sand and gravel mining (gravel pit) operation including temporary associated equipment storage and stockpiling areas all in conjunction with a previously approved, privately funded storm water detention basin and future construction projects.

**VARIANCES** for the following: 1) permit a previously approved privately funded, below grade storm water detention basin; and 2) permit a temporary construction trailer on 58.8 acres in a P-F (Public Facility) Zone and an R-2 (Residential Suburban) Zone.

Generally located on the north side of Cactus Avenue and the east side of Amigo Street within Enterprise. MN/tk/ma (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-27-401-009, 021, 026 and 177-27-801-019

**USE PERMITS:**

1. Allow a temporary concrete batch plant.
2. Allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage, stockpiling areas, and incidental equipment.

**VARIANCES:**

1. Permit a previously approved, privately funded, below grade storm water detention basin.
2. Permit a temporary construction trailer.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 58.8
- Project Type: Concrete batch plant, gravel pit, and detention basin

### Background

VC-1377-95 originally approved a temporary sand and gravel mining operation and privately funded detention basin on 45.4 acres at this location with conditions including a 3 year review of the application, vacation of easements, and applying for P-F zoning or other appropriate permanent zoning for the uses requested. The applicant indicated at the time of the initial application, the detention basin was required for drainage purposes for future development of properties located "downstream". Subsequently, VC-1855-95 was approved for a 20 acre addition to the previously approved 25 acre detention basin for a total of 45 acres and a total project area of 65.4 acres. The subject application was then approved as an addition to the 2 previously mentioned applications, allowing a temporary concrete batch plant, and increasing the project area to 160 acres. Since the original approval of this application, the project size has decreased from 74.5 acres with the previous extension of time to the present size of 58.8 acres. The most recent decrease in size was because a portion of the original site is now developed and owned by a place of worship. As a result, the concrete batch plant, gravel pit, and detention basin can only occur on the remaining parcels. The concrete batch plant, sand, and gravel operation facilitates the construction of the detention basin both physically and financially, resulting in a privately funded and constructed detention basin for the County.

### Previous Conditions of Approval

Listed below are the approved conditions from UC-2093-96 (ET-0191-16):

#### Current Planning

- Until December 31, 2018 to complete the project.
- Applicant is advised that all extensions of time are a public hearing due to a condition of approval on UC-2093-96 (ET-0042-03); 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

Listed below are the approved conditions from UC-2093-96 (ET-0138-12):

#### Current Planning

- Until December 31, 2016 to complete the project.
- Applicant is advised that all extensions of time are a public hearing due to a condition of approval on UC-2093-96 (ET-0042-03); and that any change in circumstances or regulations may be justification for the denial of an extension of time.

#### Public Works – Development Review

- Compliance with previous conditions.

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

- Applicant is advised that if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection; and that gravity public sewer is not easily accessible for this parcel.

Listed below are the approved conditions from UC-2093-96 (ET-0144-10):

**Current Planning**

- Until December 31, 2012 to complete the project;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Public Works – Development Review**

- Compliance with previous conditions.

Listed below are the approved conditions from UC-2093-96 (ET-0167-04):

Until December 31, 2010 to complete the project; subject to providing a report the Board of County Commissioners on FEMA status by January 2006; compliance with all Clark County Department of Air Quality requirements; compliance with previous conditions; and all applicable standard conditions for this application type. Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions from UC-2093-96 (ET-0042-03):

Until June, 4 2004, subject to verifying compliance with all conditions of approval on next review date; any future extensions of time to be a public hearing before the Board of County Commissioners; paving to be added to the 90 degree corners where trucks kick up dust on haul routes; inspecting all trucks to make sure trucks are all covered before the trucks leave the basin area; planting trees on the entire Cactus Avenue frontage in conjunction with the actual construction and improvement of Cactus Avenue; removing stockpiles and berms blocking flows into the basin within 90 days unless otherwise restricted by OSHA; providing third party testing and inspections in accordance with Civil Engineers off-site inspection procedures to ensure completion of the basin in accordance with approved plan: sign restrictive covenants within 14 days; holding monthly meetings with neighborhood committee to address all issues affecting the neighborhood, including blasting, noise, dust, lighting, etc.; maximum 20 hours of operation per day (no operations between 12:00 a.m. and 4:00 a.m.) with a less noisy operations being reserved for late afternoon and early morning hours; save and accept if, and or where, prohibited by OSHA, all loaders used on property shall be equipped with warning flashing lights instead of audible beepers; providing full time personnel on-site during all hours of operation (with phone numbers to neighborhood committee) so the company may immediately address all neighborhood issues including blasting, noise, dust, lighting, etc.; notice to be given to the neighborhood committee of any planned blasting one week prior to blasting, signage shall be posted at the entrance to all affected housing developments no later than 24 hours prior to blasting, actual blasting shall be conducted only between the hours of 12:00 p.m. and 4:00 p.m.; applicant to work with neighbors that may have claims to their property as a result of blasting by the applicant, coordinating meetings between these neighbors and the blasting company; lighting on the property to be directed downward and not outward so as to limit to every reasonable extent possible lights shining on adjoining properties; existing piles of inventory as well as all aspects of the batch plant operation shall be moved entirely down into the interior of the basin by

no later than year-end; topographic map shall be filed with the County within 90 days of final approval of this extension of time application; full compliance with all Department of Air Quality Management regulations; directing, in writing, that all gravel trucks shall use only section line roads, and all applicable standard conditions for this application type. Applicant is advised that additional information brought out in the public hearing may warrant additional conditions or a shorter time limit for review; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this will be the last extension of time staff will support.

Listed below are the approved conditions from UC-2093-96:

Subject to a six year time limit for review of this application following the FEMA approval of map revision; applicant to apply for P-F zoning (or other appropriate long term zoning approvals) for the detention basin area and subject to other conditions of approval of VC-1277-95 and VC-1885-96 where applicable; right-of-way dedication; update drainage study and comply; all haul routes to be paved and have Clark County Traffic Engineer approval and Nevada Department of Transportation approval of all intersections with state roads; obtain permits for the Air Pollution Control Division and sign deed restrictions; Cactus sub-contractors will use two large water trucks to minimize dust; paving to be added to the 90-degree corners where trucks kick up dust on Cactus haul roads; Cactus shall build dirt berms around equipment and hire acoustical engineer to work towards reducing the noise impacting the existing homes to the West of Cactus basin after a two year period; Cactus will not pile dirt higher the 50 feet above the adjacent grades; Cactus will direct trucks to use section line roads in four directions from the pit (Maryland and Silverado Ranch) to decrease the concentration of gravel trucks along any one road; Cactus will pave Maryland from Pyle to Lake Mead with standard 24 foot paving within sixty days of receiving County approvals; Cactus will also install signs along these haul roads to provide proper disclosure to future home buyers; Cactus will not pave gravel haul roads through existing neighborhood directly to the West and will direct gravel trucks to haul only on the approved roads above; Cactus will inspect all trucks to make sure they are all covered before they leave the basin area; Cactus will plant trees on the entire Cactus frontage within six months of water being available in Cactus.

Applicant's Justification

This request is to allow for continued use for basin construction, the existing gravel crushing business, concrete crushing and back haul reuse operations, aggregate recycling center, batch plant and grading and fill operations. The applicant also states that due to the slowdown of progress with the downturn in the economy and the delay of the upstream flood projects, they are requesting an extension of time.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-17-1060	Reclassified from P-F zone to R-2 zone for proposed single family residential development, with waivers of development standards and design reviews for single family residential development	Approved by BCC	February 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-17-1062	Vacated and abandoned easements of interest to Clark County	Approved by BCC	February 2018
TM-17-500211	117 single family residential lots on 17.7 acre portion of 58.6 acres	Approved by BCC	February 2018
UC-2093-96 (ET-0191-16)	Fifth extension of time for use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	February 2017
UC-2093-96 (ET-0138-12)	Fourth extension of time for use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	December 2012
UC-2093-96 (ET-0144-10)	Third extension of time for use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	October 2010
UC-0074-10	Place of worship	Approved by PC	March 2010
UC-1299-07 (ET-0020-10)	First extension of time for a school with a design review – until February 5, 2012 to commence	Approved by PC	March 2010
UC-1299-07	School with a design review	Approved by PC	February 2008

**Prior Land Use Requests**

Application Number	Request	Action	Date
AG-0113-06	A report submitted to the BCC on FEMA status for the site	Received by BCC	February 2006
UC-2093-96 (ET-0167-04)	Second extension of time for use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	July 2004
UC-2093-96 (ET-0042-03)	First extension of time for use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	June 2003
ZC-1735-00	Reclassified from P-F to M-2 zoning - expired	Held at PC meeting	April 2001
ZC-1320-98	Established P-F zoning on the site	Approved by BCC	November 1998
UC-2093-96	Use permits to allow a temporary concrete batch plant, allow additions to an existing temporary sand and gravel mining operation including temporary equipment storage and stockpiling areas and incidental equipment with variances to permit a previously approved privately funded below-grade storm water detention basin, permit a temporary construction trailer, and permit a batch plant and a sand and gravel operation and incidental uses for a period of 10 years where only permitted for a maximum of 2 years	Approved by BCC	February 1997
VC-1855-95 (ET-0338-01)	Second extension of time to review the construction of a privately funded below grade storm water detention basin - held no date and expired	N/A	N/A

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1377-95 (ET-0337-01)	Second extension of time for a privately funded below grade storm water detention basin and a temporary sand and gravel operation with incidental equipment storage and stockpiling – held no date and expired	N/A	N/A
VC-1855-95 (ET-0357-98)	First extension of time to review the construction of a privately funded below grade storm water detention basin – 3 additional years - expired	Approved by PC	October 1998
VC-1377-95 (ET-0356-98)	First extension of time for a privately funded below grade storm water detention basin and a temporary sand and gravel operation with incidental equipment storage and stockpiling – 3 additional years – expired	Approved by PC	October 1998
VC-1855-95	Variance for the construction of a privately funded below grade storm water detention basin - expired	Approved by PC	December 1995
VC-1377-95	Variance for a privately funded below grade storm water detention basin and a temporary sand and gravel operation with incidental equipment storage and stockpiling - expired	Approved by PC	September 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	RUD & R-2	Single family residential subdivisions
South	Residential Suburban (up to 8 du/ac), Residential High (8 du/ac to 18 du/ac), Commercial Neighborhood, & P-F (Public Facility)	R-E, R-2, R-3, & P-F	Undeveloped, single family subdivisions, & place of worship (Hope Baptist)
East	Residential Medium (3 du/ac to 14 du/ac), Residential High (8 du/ac to 18 du/ac), & Commercial Neighborhood	RUD, R-3, C-1, & P-F	Undeveloped, single family subdivision, multi-family developments, & place of worship
West	Residential Suburban (up to 8 du/ac) & Residential High (8 du/ac to 18 du/ac)	RUD & R-3	Single family subdivisions

**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 last approval, several applications have been developed in the surrounding area, including a single family residential development on the south side of Cactus Avenue. In addition, ZC-17-1060, a request for 117 residential lots, was approved adjacent to the gravel pit. Staff finds that a temporary use does not go on for over 23 years. Many conditions have changed in the area surrounding this use, and continued operation of the facility may not be safe for the developed single family residents in the area. Staff cannot support further extensions of this application.

**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:

- Until December 31, 2021 to complete.
- 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:** MARK WHELCHER

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



03/06/19 BCC AGENDA SHEET

WINDMILL & EDMOND  
(TITLE 30)

WINDMILL LN/EDMOND ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-19-500018-WINDMILL ACRES, LLC:**

**TENTATIVE MAP** consisting of 30 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Windmill Lane and the west side of Edmond Street within Enterprise. JJ/pb/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-13-501-004; 176-13-501-010

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 30
- Density (du/ac): 6
- Minimum/Maximum Lot Size (square feet): 3,336/5,453 (gross/net are the same)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 30 residential lots on 5 acres at a density of 6 dwelling units per acre. All of the lots will have access to Windmill Lane via a 44 foot wide private street with a 5 foot wide sidewalk on 1 side of the street. The internal private street terminates with 2 stub streets on the southern portion of the site. An overhead electrical power transmission line is located along the eastern portion of the site adjacent to Edmond Street.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0480-99	Allowed an 138/12 kV overhead electrical power transmission line along the eastern portion of the site adjacent to Edmond Street	Approved by PC	May 1999

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residential & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

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

### Related Applications

Application Number	Request
VS-19-0067	A request to vacate easements is a companion item on this agenda.
ZC-19-0064	A zone change to R-2 zone with a design review 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

This request meets the tentative map requirements as outlined in Title 30. Approval is contingent upon approval of ZC-19-0064 and VS-19-0067.

##### Department of Aviation

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

##### 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Windmill Lane, 30 feet for Edmond Street, and the associated spandrels;
- Apply for BLM right-of-way grants with the Public Works Map Team for 30 feet on Edmond Street, 30 feet on Mistral Avenue, and the associated spandrel on ARN 176-13-501-011.
- 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.

**Current Planning Division - Addressing**

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

**Department of Aviation**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0417-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: AMH DEVELOPMENT**

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



**EASEMENTS  
(TITLE 30)**

WINDMILL LN/EDMOND ST

**PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-19-0067-WINDMILL ACRES, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Windmill Lane and Mistral Avenue, and between Edmond Street and Joyful Music Street within Enterprise (description on file). JJ/pb/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-13-501-004; 176-13-501-010

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

The plans depict the vacation of 33 foot wide government patent easements along the western and southern boundaries, and a 3 foot wide portion of the government patent easement along the eastern boundary of the northern parcel (176-13-501-004) and 33 foot wide government patent easements along the northern and western boundaries, and 3 foot wide portions of the government patent easement along the eastern and southern boundaries of the southern parcel (176-13-501-010). The applicant indicates that the easements are no longer required and approval of this application will allow development of the parcels.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0480-99	Allowed an 138/12 kV overhead electrical power transmission line along the eastern portion of the site adjacent to Edmond Street	Approved by PC	May 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residential & undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-19-0064	A zone change to R-2 zone with a design review for a single family residential development is a companion item on this agenda.
TM-19-500018	A tentative map for a 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**

**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 Windmill Lane, 30 feet for Edmond Street, and the associated spandrels;

- Apply for BLM right-of-way grants with the Public Works Map Team for 30 feet on Edmond Street, 30 feet on Mistral Avenue, and the associated spandrel on APN 176-13-501-011.
- 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:**

**APPLICANT:** AMH DEVELOPMENT

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

**DRAFT**





03/06/19 BCC AGENDA SHEET

COMPREHENSIVE SIGN PLAN  
(TITLE 30)

SILVERADO RANCH BLVD/GILESPIE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0473-L V SILVERADO WEST, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow freestanding signs; 2) reduce the separation from a proposed project identification sign to a proposed freestanding sign; 3) increased area of proposed project identification sign; and 4) reduce setback from a right-of-way to proposed freestanding signs.

**DESIGN REVIEW** for a comprehensive sign plan in conjunction with an apartment complex currently under development on 19.8 acres in an R-4 (Multiple Family Residential - High Density) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Gillespie Street within Enterprise. MN/dg/ja (For possible action)

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RELATED INFORMATION:

APN:

177-21-801-016

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow 6 freestanding signs (light tubes/totems) where freestanding signs are only permitted in conjunction with special uses and boarding stables when in a residential zoning district per Table 30.72-1.
2. Reduce the separation from a project identification sign to a freestanding sign to 70 feet where a minimum of 100 feet is required per Table 30.72-1 (a 30% reduction).
3. Increase the allowable sign area for project identification signs to 94 square feet where a maximum area of 70 square feet is permitted per Table 30.72-1 (a 34% increase).
4. Reduce the setback for proposed freestanding signs to 8 feet from a right-of-way (Gillespie Street) where a minimum of 10 feet is required per Table 30.72-1 (a 20% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 240 E. Silverado Ranch Boulevard
- Site Acreage: 19.8

- Project Type: Comprehensive sign plan
- Sign Height (feet): 6 (project identification signs)/12 (freestanding light tubes/totems along Giles pie Street)/18 (freestanding light tubes/totems along Silverado Ranch Boulevard)
- Sign Area: 282 square feet total (3 project identification signs)/120 square feet total (3 light tubes/totems along Silverado Ranch Boulevard)/54 square feet total (3 light tubes/totems along Giles pie Street)

#### Request & Site Plans

This is a request for signage in conjunction with a multiple family residential development. The freestanding light tubes/totems will be in conjunction with project identification signs identifying the name of the apartment development. The plans depict 1 group of signs (2 project identification and 3 freestanding) at the main entrance to the development from Silverado Ranch Boulevard. The other group of signs (1 project identification and 3 freestanding) are located at one corner of the development which is the intersection of Silverado Ranch Boulevard and Giles pie Street and the other entrance to the development from Giles pie Street. All signs are located within landscaped areas. The signs along Silverado Ranch Boulevard are set back approximately 12 to 21 feet from the right-of-way. The project identification sign at the corner of Silverado Ranch Boulevard and Giles pie Street is set back approximately 8 feet from the street. The freestanding signs at the entrance from Giles pie Street are set back approximately 8 feet from the street.

#### Signage

The plans show 2 sets of 3 freestanding signs for a total of 6 freestanding signs. The 3 freestanding signs in each set are in a row and spaced 6 feet on center. One set is 18 feet high and the second set is 12 feet high. The 18 foot high sign set is located within the landscaped median of the main entrance to the multiple family development along Silverado Ranch Boulevard. The 12 foot high sign set is located along Giles pie Street. Each freestanding sign has the appearance of a 4 sided pillar. The base of each sign is constructed of fabricated aluminum and painted with a dark gray finish. The remainder of the sign (pillar/totem) is constructed of an aluminum cabinet that is painted white and the inside returns have a translucent orange vinyl overlay. The freestanding signs (pillars/totems) will be internally illuminated to give a white and reddish-orange glow. The proposed freestanding signs do not consist of any copy or advertising; however, since the structures are attention gaining devices, Title 30 considers the internally illuminated pillars to be freestanding signs.

The project identification signs, which are attached to a perimeter block wall, are 6 feet in height and consist of 10 inch deep channel letters and a cabinet sign that is internally illuminated with an acrylic face.

#### Applicant's Justification

The applicant indicates that the signs are shaped like light tubes/totems and serve to identify the project. The increase in area for the project identification signs is necessary for visibility from Giles pie Street and Silverado Ranch Boulevard. The freestanding signs consist of a group of 3 tubes/totems flanking the project identification signs to increase visibility and project identification. No advertisement, copy or lettering will be depicted on the tubes/totems. The

tubes/totems will have white illumination and will not blink or flash. All signs are constructed of materials and colors consistent with the multiple family developments overall design theme. The signs are well designed and contribute to a positive visual environment and help in developing a distinctive image for the area. The proposed signage will also present a more artistic feature to identify the project than other sign options available per Code. This signage concept has been used by the developer at other apartment projects and has proven to be very effective at those locations.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0648-16	Reclassified the site to R-4 zoning for multiple family residential development	Approved by BCC	December 2016
ZC-0529-11	Reclassified the site to C-2 zoning for future retail and commercial uses	Approved by BCC	December 2011

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential development
East	Residential Urban Center (8 to 32 du/ac)	R-4	Multiple family residential development
South	Residential Suburban (up to 8 du/ac), Residential Medium, & Commercial Neighborhood	R-E, RUD & C-P	Single family residential development, undeveloped, & office center
West	Residential Suburban (up to 8 du/ac), Residential High, & Commercial Neighborhood	R-2 & R-3	Single family residential development, undeveloped, & multiple family residential development

**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 & Design Review**

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 can support the proposed waiver requests and agree with the applicant that the proposed signs are essential to the overall design intent of the project. This design, with related relief from

prescribed development standards, has been implemented at several locations within Clark County with no known adverse impacts to adjacent developments. The site is along a major arterial with a variety of signage. Staff finds the proposed signs will not adversely impact the surrounding properties. The apartment buildings on the site were approved at a height of up to 28 feet; therefore, the proposed signs will not be out of scale with the buildings on the site.

Staff agrees with the applicant's assertion that the signs serve to identify the project. The location, increase in area for the project identification signs, and overall grouping of the signs, are necessary for visibility from Giles pie Street and Silverado Ranch Boulevard. The tubes/totems are essentially part of the overall design of the architectural piece with the project identification sign, and all signs are constructed of materials and colors consistent with the overall design theme of the multiple family development. The signs are well designed and contribute to a positive visual environment and help in developing a distinctive image for the area. Staff finds that the request complies with Urban Specific Policy 20 of the Comprehensive Master Plan which states, in part, that all signage should be compatible with building styles both on-site and with surrounding 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**

- No copy, lettering, or animation shall be permitted on the proposed freestanding signs (light tubes/totems).
- 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**

- Applicant is advised that signs shall not encroach into public right-of-way, casements, or sight-visibility zones.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: LV SILVERADO WEST, LLC**  
**CONTACT: MIKE LEBLUE, YESCO, 5119 S. CAMERON STREET, LAS VEGAS, NV**  
**89118**

**DRAFT**



03/06/19 BCC AGENDA SHEET

FREESTANDING SIGN  
(TITLE 30)

ROY HORN WY/TORREY PINES DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
WS-19-0022-JONES 215, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the height of a freestanding sign; 2) increase sign area for a freestanding sign; and 3) increase animation area for a freestanding sign.

**DESIGN REVIEW** for a proposed freestanding sign in conjunction with an existing vehicle sales facility (automobile dealership, Findlay Chevrolet) on a portion of 8.8 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the south side of Roy Horn Way and the west side of Torrey Pines Drive within Enterprise. MN/rk/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-02-201-021 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a freestanding sign along Roy Horn Way and the 215 Beltway to 50 feet where a maximum of 28 feet is permitted in the CMA Design Overlay District per Section 30.48.680 (a 79% increase).
2. Increase freestanding sign area to 834 square feet where a maximum area of 332 square feet is permitted per Table 30.72-1 (a 152% increase).
3. Increase animated sign area to 834 square feet where 70 square feet is the maximum permitted in the CMA Design Overlay District per Section 30.48.680 (a 1,092% increase).

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

**BACKGROUND:**

**Project Description**  
**General Summary**

- Site Address: 6800 S. Torrey Pines Drive
- Site Acreage: 8.8 (portion)
- Project Type: Freestanding sign
- Sign Height (feet): 50

- Square Feet: 834

**Site Plans**

This request is to replace an existing 47 foot high, 350 square foot, non-animated freestanding sign located on Roy Horn Way. The frontage along Roy Horn Way consists of a 15 foot wide landscape area with detached sidewalk and vehicle display area near the front portion of the dealership. The sign will maintain a 10 foot setback from the north property line adjacent to Roy Horn Way. Access to the site is provided by 3 driveways on Torrey Pines Drive to the east, and 2 driveway on Maule Avenue to the south.

**Signage**

The applicant proposes to replace the existing sign with a 50 foot high, double face, 601 square foot LED animated display on the main sign faces (east and west elevations); and also add a single face, 233 square foot LED animated display on the side of the freestanding sign that faces the 215 Beltway (north elevation). The entire sign is animated which includes the corporate logo for Findlay Chevrolet of Las Vegas.

**Applicant's Justification**

The applicant states that the purpose of increasing the height of the freestanding sign is to increase visibility of the dealership from the 215 Beltway. The applicant adds that there have been previous approvals to increase the heights of the existing freestanding signs for different adjacent automobile dealerships which also includes the approval of the existing 47 foot high sign located on this site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-1607-06	Waiver for two, 47 foot high, freestanding signs in conjunction with an approved automobile sales facility	Approved by BCC	January 2007
ZC-2136-04	Reclassified this site to C-2 zoning for an automobile sales facility and related uses	Approved by BCC	March 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North*	Business and Design/Research Park	M-D	Undeveloped parcel
East	Business and Design/Research Park	C-2 & M-D	Automobile dealership, Findlay Subaru
South	Business and Design/Research Park	C-2	Surface overflow parking lot, undeveloped parcel
West	Business and Design/Research Park	C-2	Automobile dealership, Gaudin Porsche

\*Directly to the north is the 215 Beltway.



## **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 does not typically support a request to increase the height of freestanding sign within the CMA Design Overlay District adjacent to the 215 Beltway. However, since 2006 the 47 foot high non-animated freestanding sign has existed at this location. If approved, staff finds that limiting the height of the proposed sign to 47 feet would be more in compliance with the previous sign while also providing the desired visibility. Furthermore, since 2005 there have been 5 waivers of development standards approved in the immediate area by the Board of County Commissioners (BCC) to increase the height of freestanding signs along the 215 Beltway. The following requests: WS-0346-05 (Integrity Chrysler), WS-0601-14 (ABC Hyundai), WS-0551-15 (Gaudin Porsche of Las Vegas), WS-0954-17 (Findlay Subaru), and WS-18-0519 (Jaguar/Land Rover) were approved to increase the height of freestanding signs for the automobile dealerships in the immediate area to between 40 feet and 50 feet high.

##### Waivers of Development Standards #2 & #3

Staff finds that the proposed size of the freestanding sign and amount of animation is not consistent with other signs that were previously approved in the area. The entire sign is animated and exceeds the allowable standard for animation in the CMA by 1,092%. Staff does not support waivers in the CMA without mitigating circumstances. In the CMA, the intent is to discourage signs which contribute to visual clutter of the streetscape, and ensure that signage enhances the overall development and the immediate area. Therefore, the proposed request for sign area and animation is excessive and is not compatible with surrounding area.

##### Design Review

Approval of the design review is contingent upon approval of the waivers of development standards which staff does not fully support. Staff finds that the design of the sign does not meet the standards for approval required for a design review because it fails to meet the sign regulations in the CMA and Title 30. Therefore, with these inconsistencies, staff cannot support this request.

### **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**

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:

- Maximum sign height of 47 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**

- Applicant shall apply for and have approved a vacation of the existing pedestrian access, streetlight, and traffic control devices and slope easements;
- Building permit issuance for the proposed signage shall be coordinated with Public Works - Development Review Division and Map Team.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction of 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.

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

- No comment.

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

**APPLICANT: FINDLAY CHEVROLET**  
**CONTACT: MIKE LEBLUE, YESCO, 5119 S. CAMERON STREET, LAS VEGAS, NV**  
**89118**

DRAFT



COMMERCIAL CENTER  
(TITLE 30)

DECATUR BLVD/215 BELTWAY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-19-0020-DECATUR COMMONS, LLC:**

**ZONE CHANGE** to reclassify 3.7 acres from R-E (Rural Estates Residential) (AE-60) Zone to M-D (Designed Manufacturing) (AE-60) Zone.

**USE PERMITS** for the following: 1) retail sales as a principal use; 2) restaurants; 3) on-premises consumption of alcohol (tavern); and 4) future hotel.

**WAIVER OF DEVELOPMENT STANDARDS** for alternative landscaping

**DESIGN REVIEW** for a commercial retail center on 5.6 acres.

Generally located on the east side of Decatur Boulevard and the north side of the 215 Beltway within Enterprise (description on file). MN/pb/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-06-101-005; 177-06-101-006; 177-06-101-012; 177-06-101-034

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow a freeway buffer without a decorative wall where a decorative wall is required per Figure 30.64-4.

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 3.7 (zone change)/5.6 (commercial center)
- Project Type: Commercial retail center consisting of a tavern, 2 restaurant buildings, a retail building, and a future hotel
- Number of Stories: 1 (tavern, retail, and restaurants)/4 (future hotel)
- Building Height (feet): Up to 30
- Square Feet: 14,300
- Parking Required/Provided: 255/295

### Site Plans

The plans depict a commercial retail center consisting of a proposed tavern, 3 proposed retail/restaurant buildings, and a future hotel. The tavern is located on the northwestern portion of the site and a coffee shop building is located south of the tavern. A retail building and a restaurant building are located on the southwestern portion of the site. The 3 retail/restaurant buildings have drive-thru lanes. A future hotel is located on the eastern portion of the site. The parking is distributed throughout the site. The site has 1 driveway access on Decatur Boulevard to the west and 1 driveway access on Ullom Drive to the east. Access to the adjacent undeveloped parcel to the north is also provided should a compatible use develop on that site.

### Landscaping

A 15 foot wide landscape area with a detached sidewalk is located along Decatur Boulevard and a 10 foot wide landscape area is located adjacent to an attached sidewalk along Ullom Drive. A 10 foot wide perimeter landscape area is located along the northern and eastern property lines. A 10 foot landscape area with trees spaced 40 feet apart and additional shrubs is located along the southern property line adjacent to the 215 Beltway off-ramp. No decorative wall will be provided as required by Code. Parking lot trees are distributed throughout the site in accordance with Figure 30.64-14. Additional landscaping is provided adjacent to the buildings. The landscape materials include trees, shrubs, and groundcover.

### Elevations

The plans depict 4, single story buildings between 17 feet and 30 feet in height. Each of the buildings will have flat roofs with parapet walls and a similar façade consisting of a light sand stucco finish with contrasting colors and architectural enhancements such as architectural insets, pop-outs, reveals, fibron wood cladding, stone accents, and dual pane clear glazed doors and windows, with aluminum frames.

### Floor Plans

The tavern is 4,000 square feet, the coffee shop is 2,300 square feet, the retail building is 4,000 square feet, and the other restaurant building is 4,000 square feet.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates the requested M-D zoning conforms to the land use plan and the proposed uses are allowed in the M-D zone with a use permit. The proposed uses and design of the commercial center are compatible with the existing and planned land uses in the area. The applicant indicates the design of the future hotel building will be address at a later date. The landscape area adjacent to the 215 Beltway off-ramp will include large trees spaced 40 feet apart to mitigate the impacts associated with no wall being provided as required.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0137-16	Vacated a portion of right-of-way for the 215 Beltway off-ramp	Approved by PC	April 2016
ZC-0194-08	Reclassified 1.9 acres from R-E to M-1 zoning for a future industrial development	Approved by BCC	April 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & C-2	Retail & undeveloped
South	Industrial	R-E & M-1	215 Beltway & undeveloped
East	Business and Design/Research Park	P-F	State of Nevada maintenance yard
West	Business and Design/Research Park	C-2	Shopping center & undeveloped

**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 which designates this site as Business and Design/Research Park and is compatible with the existing and proposed development in the area; however, staff is concerned about the uses proposed as part of this development.

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 Business and Design/Research Park (BDRP) category applies to areas where commercial, professional, or manufacturing developments are designed to assure minimal impact on surrounding areas. Major uses in the category include research and development, incubator businesses, food sales and distribution, postal and data processing centers, vehicle sales and repair (inside), and general non-hazardous warehousing. The applicant is requesting a use permit to establish a commercial center which is effectively a request for a retail commercial center normally permitted in a C-2 zone on a site designated BDRP in the land use plan. C-2 zoning is not allowed in the BDRP and a proposal to such zoning would be more appropriate through a nonconforming zone change process. Staff finds that the number of use permits requested is excessive and in conflict with the purpose of the M-D Designed Manufacturing District which is

established to provide area suitable for the development of light manufacturing establishments with limited outside uses, and to prohibit the development of incompatible uses. Therefore, staff cannot support these requests.

#### Waiver of Development Standards

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

Although no decorative wall will be provided along the southern property line adjacent to the 215 Beltway off-ramp as required by Code, a 10 foot landscape area with trees spaced 40 feet apart and additional shrubs will be provided. Although staff finds the additional landscaping will mitigate the negative impacts of no wall located along the freeway for a commercial center approval of this request is contingent upon approval of the use permits which staff cannot support; therefore, staff cannot support the waiver of development standards.

#### Design Reviews

The proposed development is designed to comply with Title 30 standards. The request also complies with Urban Specific Policy 79 of the Comprehensive Master Plan which encourages commercial developments to use visually articulated elements including, but not limited to, towers, decorative fascias or parapets, pilasters or columns, or decorative details such as tile, wrought iron (tubular steel), fenestration, landscaped planters or trellises, pitched/hipped roofs, or other visually articulated design utilizing harmonious volumes, spaces and materials. Additionally, this site meets the intent of Urban Specific Policy 65 which encourages commercial development designs that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets. Although the design is appropriate for a commercial center, approval of this request is contingent upon approval of the use permits which staff cannot support; therefore, staff cannot support the design review.

#### Department of Aviation

APN 177-06-101-005 is subject to certain deed restrictions which (1) prohibit uses incompatible with airport operations including those presented in this land use application from being developed, and (2) prohibit these parcels from being used to enhance incompatible uses on adjacent parcels. Applicant must contact the Clark County Department of Real Property Management to apply for a Deed Restriction Modification to amend existing deed restrictions which prohibit said use. Permits will not be issued and maps will not be recorded until all required fees associated with the amended deed restrictions, which would permit currently prohibited uses included in this application, have been paid and the new CC&Rs are recorded. If applicant fails to pay the required deed modification fees and record the new CC&Rs, then permits for uses prohibited by existing recorded deed restrictions must not be issued and mapping of uses prohibited by existing recorded deed restrictions must not be recorded.



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 the zone change; and denial of the use permits, waiver of development standards, and 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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for the future hotel;
- Design review as a public hearing for lighting and signage;
- Design review as a public hearing for significant changes to 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 to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waiver of development standards, and design review 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 30 feet for Ullom Drive together with the portion of the cul-de-sac at the southern terminus of Ullom Drive;
- Applicant is advised that the driveway on Ullom Drive does not appear to meet the minimum requirements in Uniform Standard Drawing 222.1; and that installation of detached sidewalks may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Department of Aviation**

- Compliance with most recent recorded airport-related deed restrictions for APN 177-06-101-005;
- 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.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project, to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0027-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: MILO HURST  
CONTACT: DAVID BROWN, 520 S. FOURTH STREET, 2ND FLOOR, LAS VEGAS, NV  
89101**

03/06/19 BCC AGENDA SHEET

MULTI-FAMILY DEVELOPMENT  
(TITLE 30)

BLUE DIAMOND RD/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0044-CIMA BLUE, LLC:

**ZONE CHANGE** to reclassify 5.0 acres from a C-2 (General Commercial) Zone and an H-2 (General Highway Frontage) Zone to an R-3 (Multi-Family Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate setback for garage openings to a drive aisle; 2) reduce front setback; 3) reduce setback from right-of-way; and 4) reduce landscaping along a street frontage.

**DESIGN REVIEWS** for the following: 1) a proposed multi-family residential development; and 2) increased finished grade in the MUD-4 Overlay District.

Generally located 210 feet north of Blue Diamond Road and 330 feet east of Cimarron Road on Rumrill Street within Enterprisc (description on file). JJ/rk/ja (For possible action)

**RELATED INFORMATION:**

**APN:**

176-21-601-009; 176-21-601-010

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate the setback from a multiple family garage opening to a drive aisle to zero feet where a minimum of 8 feet is required (a 100% reduction).
2. Reduce front setback for 2 multi-family buildings to 3 feet where 20 feet is the minimum per Table 30.40-3 (an 85% reduction).
3. Reduce the setback from right-of-way (Rumrill Street) for 2 multi-family buildings to 3 feet where 10 feet is required per Section 30.56.040 (a 70% reduction).
4. Reduce landscaping adjacent to a street (Rumrill Street) to 3 feet where a minimum of 6 feet per Figure 30.64-9 is required (a 50% reduction).

**DESIGN REVIEWS:**

1. A proposed multi-family residential development.
2. Increase the finished grade for a multi-family residential development up to 36 inches (3 feet) where 18 inches is the standard per Section 30.32.040 (a 100% increase).

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Units: 88
- Density (du/ac): 17.6
- Project Type: Multi-family development
- Number of Stories: 2
- Building Height (feet): 30
- Open Space Required/Provided: 17,600/29,200
- Parking Required/Provided: 196/213

#### Site Plans

The plans depict 88, two story multi-family units distributed among 20 buildings. More specifically, the development is made up of tri-plex, 4-plex, and 5-plex buildings with 2 car garages (this will not be a townhome development). The buildings are oriented in a courtyard design with 29 foot wide access driveways which lead out to a 41 foot wide main drive aisle. The main drive aisle has a cul-de-sac on each end of the road. The units will have rear loaded garages with the fronts facing the opposite side of garages, creating 10 foot wide greenways between the buildings. Additionally, a network of common open spaces are located throughout the development which includes on-site pedestrian paths. Parking will consist of garage parking for residents and surface parking for visitors. Approximately one third of visitor parking is depicted as parallel spaces along the 41 foot wide drive aisle. The total visitor parking provided is 36 spaces where 36 spaces are required. The setbacks of the buildings are as follows: 3 feet and 23 feet to the north property line, 23 feet to the south property line; 13 feet to the east property line; and 20 feet to the west property line. Access to the site will be taken from 2 different roadway alignments north of the project site. The development does not have direct access to an existing public right-of-way. The plans show that off-site street improvements will be provided from the Rumrill Street (alignment) to the north, up to Agate Avenue (alignment), which then leads out to Cimarron Road to the west.

#### Landscaping

The plans depict 13 feet to 23 feet of landscaping along the perimeter of the development. Rumrill Street which terminates into a cul-de-sac is the only street frontage the project will have. Along this portion of the site, the landscape area will be reduced to 3 feet in width in some areas which requires the associated waiver. A network of common open spaces is located throughout the development which will include on-site pedestrian paths, and a park that is 7,800 square feet with future amenities. The total amount of open space is depicted at 29,200 square feet where 17,600 square feet is required.

#### Elevations

The plans depict 3 different building types. The proposed architecture for the project is a plex building design type with 1 elevation. All buildings will have unified and consistent architecture. The building materials generally consist of stucco siding with pop-out elements and

additional facade relief on select portions of the horizontal planes. The roofs are pitched and consist of concrete tile. The buildings are all shown at 2 stories and 30 feet high.

Floor Plans

The plans show a mix of 2 and 3 bedroom units consisting of 71, two bedroom units and 17, three bedroom units. The residential units are the same size shown at 1,468 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed project is in conformance with the Planned Land Use of Residential High and that the request will provide a nice transition from the commercial development along Blue Diamond Road and the planned single family residential farther north. Furthermore, wide landscape areas will be provided along the perimeter of the development in order to buffer this use to the commercial development to the south.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0758-06	Vacated patent easements around parcel number 176-21-601-009	Approved by BCC	July 2006
WS-0572-06	Increased block wall height, reduced landscaping, permit commercial access onto a local street and design review for a mini-facility for parcel number 176-21-601-009 -expired	Approved by BCC	July 2006
ZC-0770-04	Reclassified parcel number 176-21-601-009 to C-2 zoning with a design review for a proposed tavern	Approved by BCC	June 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped
South	Commercial General & Residential High (8 du/ac to 18 du/ac)	C-2 & H-2	Developed shopping center
East	Commercial General	C-2	Developed shopping center
West	Residential High (8 du/ac to 18 du/ac)	H-2	Undeveloped

**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 zone change request conforms to the Enterprise Land Use Plan which designates this site as Residential High for densities up to 18 dwelling units per acre. The proposed project will have a density of 17.6 dwelling units per acre. The zone change request will provide an appropriate transition between the commercial development to the south along Blue Diamond Road and the RNP neighborhood to the north. The request complies with Housing Policy 2 of the Comprehensive Master Plan to promote a mix of housing types that meet the diverse needs of the community. Therefore, staff can support this portion of the request.

#### 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.

Staff finds that even though the density of the development will be within the range of densities allowed in the R-3 zoning district, the number of waivers submitted with this request will result in the creation of a project which does not conform to Title 30 and other applicable goals and policies. More specifically, this project does not comply with Urban Land Use Policy 53 of the Comprehensive Master Plan which states that multiple family developments should be compatible with adjoining land uses through proper site planning and building design. The waivers associated with this request are due in large part by the proposed design of the site. This development proposes 20 buildings on a 5 acre site which results in a project that will be over-built and creates a self-imposed hardship. Therefore, staff finds the applicant has neither demonstrated nor established that the proposed request is appropriate to merit approval of the waivers of development standards.

#### Design Review #1

The site design, building design, and development parameters are established and dependent on consideration of the waiver requests, thereby requiring contingent consideration of the design review. Since staff cannot support the waivers of development standards, staff cannot support the design review request.

### **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 of the zone change and design review #2; and denial of the waivers of development standards 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;
- 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;
- Design review as a public hearing for 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 to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include the portion of the cul-de-sac for Valadez Street alignment (shown on the plans as Rumrill Street);
- Provide paved legal access;
- Applicant is advised that the plans lack significant detail to determine compliance with Public Works' codes and standards and changes to the plans will be required, which may require additional land use applications; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [scwerlocation@cleanwaterteam.com](mailto:scwerlocation@cleanwaterteam.com) and reference POC Tracking #0029-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: PEYMAN MASACHI**  
**CONTACT: JAMES GRINDSTAFF, TRIPLE FIVE GROUP, 8965 S. EASTERN AVENUE,**  
**SUITE 1208, LAS VEGAS, NV 89123**

**DRAFT**



03/06/19 BCC AGENDA SHEET

COMMERCIAL BUILDING  
(TITLE 30)

WINDMILL LN/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ZC-19-0059-WARMINGTON RISE ASSOCIATES, LP:

**ZONE CHANGE** to reclassify a 1.0 acre portion of a 5.4 acre parcel from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; 2) reduce approach distance; 3) reduce departure distance; and 4) reduce throat depth.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a shopping center.

Generally located on the south east corner of Windmill Lane and Rainbow Boulevard within Enterprise (description on file). JJ/jor/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-14-101-027 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 41 parking stalls where 51 parking stalls are required per Table 30.601 (a 20% reduction).
2. Reduce the approach distance to 96 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 36% decrease).
3. Reduce the departure distance to 57 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 70% decrease).
4. Reduce throat depth for a driveway along Windmill Lane to 17 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 32% decrease).

**DESIGN REVIEWS:**

1. Alternative parking lot landscaping for a landscape finger island required per Figure 30.64-14.
2. A shopping center.

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 8180 S. Rainbow Boulevard
- Site Acreage: 1 (portion)
- Project Type: Commercial building
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 8,250 (overall shell building)/3,000 (restaurant portion)/5,250 (retail portion)
- Parking Required/Provided: 51/41

#### **History & Site Plans**

A previously approved non-conforming zone change (NZC-0924-17) reclassified a 4.5 acre portion of a 5.5 acre parcel from R-E (Rural Estates Residential) zone to R-4 (Multiple Family Residential – High Density) zone. The applicant is requesting to reclassify the remaining 1 acre to C-1 (Local Business) zone. The submitted site plan depicts access to the site via commercial driveways from Rainbow Boulevard and Windmill Lane. Per the plans, the rectangular commercial building is located on the southeast corner of the subject property. Parking stalls are proposed throughout the west half of the site and along the north side of the proposed commercial building.

#### **Landscaping**

Per the submitted plans, 24 inch box trees and 5 gallon shrubs are located throughout the site. Large trees are spaced every 20 feet along the perimeter of the property and within the landscape finger islands. The applicant is also proposing shrubs to be planted throughout the site and in between the trees.

#### **Elevations**

The commercial building has a maximum height of 20 feet to the top of the parapet roof. The elevation plans depict exterior finishes which include faux stone veneer and stucco, wall mounted light fixtures, and decorative metal awnings to break-up the rectangular design of the building. The exterior of the building also includes aluminum store front doors and window systems.

#### **Floor Plans**

The applicant is proposing a commercial building where 3,000 square feet of the north side of the building is for proposed future restaurant use and 5,250 square feet is for proposed retail space.

#### **Signage**

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting approval of this application because the zone change is conforming and the requested waivers are due to the size limitations of the overall site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0814	Vacated and abandoned a portion of right-of-way (Rainbow Boulevard)	Approved by PC	December 2018
NZC-0924-17	Reclassified a 4.5 acre portion of a 5.5 acre parcel from R-E zoning to R-4 zoning, waivers for increased building and wall height, and design review for a multiple-family residential development and increase finished grade	Approved by BCC	January 2018
ET-0027-12 (ZC-1158-07)	Second extension of time to reclassify 13 acres from C-1 and C-2 zoning to R-4 zoning, variances for increased building heights, and design review for a multi-family development - expired	Approved by BCC	May 2012
ET-0141-10 (ZC-1158-07)	First extension of time to reclassify 13 acres from C-1 and C-2 zoning to R-4 zoning, variances for increased building heights, and design review for a multi-family development - expired	Approved by BCC	October 2010
VS-1156-07	Vacated and abandoned easements and portion of right-of-way - recorded	Approved by BCC	December 2007
ZC-1158-07	Reclassify 13 acres from C-1 and C-2 zoning to R-4 zoning, variances for increased building heights, and design review for a multi-family development - expired	Approved by BCC	December 2007
ZC-1385-98	Reclassified 65 acres from R-E zoning to R-3, R-4, and C-2 zoning	Approved by BCC	November 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Shopping center
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residences
East	Residential High (8 to 18 du/ac)	R-4	Multiple-family residential
West	Commercial General	C-2	Undeveloped site

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### **Zone Change**

Staff finds that the proposed zone change for the 1 acre portion of the overall site is appropriate and is compatible with the surrounding neighborhood. This request conforms to the Enterprise Land Use Plan that designates this site for Commercial General which allows medium to high intensity retail and service commercial uses that primarily serve regional area patrons. The proposed development conforms to Urban Land Use Policy 67 of the Comprehensive Master Plan which encourages appropriate buffers, setbacks, drought tolerant landscaping, building height, materials, and lighting for the site design of any commercial development. Staff is in support of this conforming zone change.

#### **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**

Per the submitted site plan, the applicant is proposing 41 parking stalls where 51 parking stalls are required for the subject property. The applicant could implement design changes (reduce the size of the building) and further review the proposed uses on the subject property to meet the amount of parking stalls required per Title 30. Due to the applicant's self-imposed hardship, staff cannot support this request.

#### **Design Review #1**

The plans depict 24 inch box trees spaced primarily every 20 feet around the entire perimeter of the subject property. The parking stalls along the west property line require 1 landscape finger island every 12 parking stalls per code. The applicant is proposing 13 parking stalls and no landscape finger island along the west property line. Urban Land Use Policy 73 encourages that the applicant maintain perimeter and interior parking lot trees for shade and visual relief, while maintaining view corridors to storefront areas. Staff finds that if the applicant redesigned the site, a reduction in parking would not be needed and the proper amount of landscaping could be integrated on the site. Staff is not in support of this request.

#### **Design Review #2**

Staff finds the exterior elements of the building to be aesthetically pleasing; however, the overall design does not support adequate parking and landscaping requirements. Staff cannot support this request due to the self-imposed hardship.

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

#### **Waivers of Development Standards #2, #3, & #4**

Staff has no objection to the requested waivers since the site does not provide sufficient room to allow compliance with the distances from the intersections to the driveways. Additionally, based on the site constraints, staff can support the reduced throat depth. However, if it is determined that less parking is required for the site, at least one parking space should be removed adjacent to the east side of the driveway on Windmill Lane.

#### **Staff Recommendation**

Approval of the zone change and waivers of development standards #2, #3, and #4; and denial of waiver of development standards #1 and 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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review for any significant changes to the plans.
- Applicant is advised that approval of this application does not constitute or imply approval of 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 waivers of development standards and design reviews must commence within 2 years of approval date or it will expire.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Grant easements for pedestrian access, streetlights, traffic control, drainage, and public utilities as necessary;
- If the parking requirements for the site allow the removal of parking spaces, at least 1 parking space shall be removed from the area adjacent to the east side of the Windmill Lane driveway;
- 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 installation of detached sidewalks may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access,

streellights, 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0030-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: ALI KAVEH  
CONTACT: ALI KAVEH, PLATINUM, 6830 S. RAINBOW BOULEVARD, SUITE 200F,  
LAS VEGAS, NV 89118**

**DRAFT**

03/06/19 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

WINDMILL LN/EDMOND ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0064-WINDMILL ACRES, LLC:

ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS for alternative residential driveway geometrics.

DESIGN REVIEW for a single family residential development.

Generally located on the south side of Windmill Lane and the west side of Edmond Street within Enterprise (description on file). JJ/pb/ja (For possible action)

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RELATED INFORMATION:

APN:

176-13-501-004; 176-13-501-010

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the separation for a driveway to the back of curb radius for a street intersection to zero feet where a minimum of 12 feet is required per Uniform Standard Drawing 222 (a 100% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 30
- Density (du/ac): 6
- Minimum/Maximum Lot Size (square feet): 3,336/5,453 (gross/net are the same)
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 1,843 to 2,169

Site Plans

The plans depict a single family residential development consisting of 30 residential lots on 5 acres at a density of 6 dwelling units per acre. All of the lots will have access to Windmill Lane via a 44 foot wide private street with a 5 foot wide sidewalk on 1 side of the street. The internal private street terminates with 2 stub streets on the southern portion of the site. The reduced separation for a driveway to the back of curb radius for a street intersection is required for lots 1 and 30 adjacent to Windmill Lane. An overhead electrical power transmission line is located along the eastern portion of the site adjacent to Edmond Street.

Landscaping

The plans depict a 15 foot wide landscape area with a detached sidewalk along Windmill Lane and a 6 foot wide landscape area adjacent to an attached sidewalk along Mistral Avenue. A 65 foot wide area with an overhead electrical power transmission line is located along the eastern portion of the site adjacent to Edmond Street. A 10 foot wide landscape area with trees and shrubs is located adjacent to an attached sidewalk along Edmond Street. The western portion of the transmission line corridor will include groundcover (decomposed granite or the equivalent).

Elevations

The plans depict 3 different models with each model having potential variations including covered porches, building pop-outs, etc. All elevations depict fenestration on windows and doors, and enhanced architectural elements.

Floor Plans

The plans depict 3 different models comprised of 2 story floor plans that have a 2 car garage (front loaded) and range between 1,843 to 2,169 square feet (livable area) with available options.

Applicant's Justification

The applicant indicates the requested zoning conforms to the land use plan and the development is compatible with the existing and proposed development in the area. The waiver of development standards for the reduced driveway separation is justified because of the low traffic volume caused by a 30 lot subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0480-99	Allowed an 138/12 kV overhead electrical power transmission line along the eastern portion of the site adjacent to Edmond Street	Approved by PC	May 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Undeveloped



### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residential & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

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

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-19-0067	A request to vacate easements is a companion item on this agenda.
TM-19-500018	A tentative map for a 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**

##### Zone Change

This request for a zone boundary amendment conforms to the Enterprise Land Use Plan which designates this site as Residential Suburban. The development is consistent and compatible with the proposed and approved land-uses in the area. Therefore, staff supports the zone change.

##### 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

The design of the subdivision is consistent and compatible with approved and planned land uses in the area and 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 elevations and floor plans comply with Urban Specific Policy 43 by providing a variety of elevations with articulated building facades. Therefore, staff recommends approval of this request.

**Public Works - Development Review**  
**Waiver of Development Standards**

Staff finds the request to reduce the distance from the point of tangency to the driveways on the 2 lots adjacent to Windmill Lane to be a safety issue. Windmill Lane is an arterial street that will, when fully developed, carry a significant amount of traffic at high speeds. Allowing any residential lot to have a driveway closer than the minimum standard when the driveway is adjacent to a collector or arterial street will result in vehicles slowing down more than usual as residents and guests navigate to the driveways. Since the site is vacant land, the applicant can redesign the lots to comply with the minimum standards.

**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.

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

**Staff Recommendation**

Approval of the zone change and the design review; and denial of the waiver of development standards.

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;
- 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; 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 4 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 Windmill Lane, 30 feet for Edmond Street, and the associated spandrels;
- Apply for BLM right-of-way grants with the Public Works Map Team for 30 feet on Edmond Street, 30 feet on Mistral Avenue, and the associated spandrel on APN 176-13-501-011.
- 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.

### **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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0417-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: AMH DEVELOPMENT**

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**DRAFT**