



# Enterprise Town Advisory Board

Windmill Library  
7060 W. Windmill Lane  
Las Vegas, NV 89113

February 12, 2020

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 Hayes 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  
Rachel Pinkston  
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 29, 2020 (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 12, 2020 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Receive a report from Clark County Community Planning on the Enterprise Land Use Plan Update, and to deliver backup material (change list and maps) to the TAB members for the upcoming March 4, 2020, and March 5, 2020 special meetings. (For possible action).

*Additional information can be found at <http://www.clarkcountynv.gov/comprehensive-planning/land-use/Pages/EnterpriseLandUsePlan.aspx>*

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

VI. Planning & Zoning

1. **UC-19-0926-P8 W S TUSCAN HIGHLANDS, LLC:**  
**HOLDOVER USE PERMITS** for the following: **1)** expand a previously approved area for outside dining and drinking; and **2)** allow live entertainment in conjunction with a multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone. Generally located on the east side of Southern Highlands Parkway and the south side of St. Rose Parkway within Enterprise. JJ/rk/jd (For possible action) **02/18/20 PC**
2. **TM-20-500002-CFT LANDS, LLC:**  
**TENTATIVE MAP** consisting of 61 residential lots on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**
3. **WS-20-0009-LVB MOBERLY, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking lot landscaping; and **2)** reduce throat depth.  
**DESIGN REVIEW** for restaurants with drive-thru on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Moberly Avenue and the west side of Giles Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**
4. **WS-20-0012-CFT LANDS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** allow an increase to street length.  
**DESIGN REVIEW** for a proposed single family residential development on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**

5. **NZC-20-0030-TESORI, LLC:**  
**ZONE CHANGE** to reclassify 3.2 acres from R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone to C-2 (General Commercial) Zone.  
**USE PERMIT** to reduce the separation from an on-premises consumption of alcohol establishment (tavern) to a residential use.  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced driveway separation.  
**DESIGN REVIEWS** for the following: 1) 2 commercial centers; and 2) alternative landscaping. Generally located on the south side of Silverado Ranch Boulevard and the east and west sides of Schuster Street within Enterprise (description on file). JJ/pb/jd (For possible action) **03/03/20 PC**
  
6. **UC-20-0022-FORD PARTNERSHIP, LLC:**  
**USE PERMIT** to allow a multiple family residential development.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the allowed building height; 2) reduce setbacks; 3) eliminate landscaping adjacent to a freeway; 4) driveway geo-metrics; and 5) non-standard improvements (landscaping in right-of-way).  
**DESIGN REVIEW** for a proposed multiple family residential development on 4.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Ford Avenue and east and west sides of Ensworth Street within Enterprise. MN/sd/jd (For possible action) **03/03/20 PC**
  
7. **UC-20-0027-YARD BROCK:**  
**USE PERMITS** for the following: 1) increase the area of a proposed accessory structure (detached garage); and 2) increase the size of all accessory structures with a proposed single family residence on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the north side of Cougar Avenue, approximately 300 feet east of Procyon Street within Enterprise. JJ/sd/jd (For possible action) **03/03/20 PC**
  
8. **UC-20-0031-1263 SILVERADO, LLC:**  
**USE PERMIT** for a hookah lounge within an existing shopping center (Silverado Ranch Place) on a portion of 3.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Maryland Parkway, South of Silverado Ranch Boulevard within Enterprise. MN/nr/jd (For possible action) **03/03/20 PC**
  
9. **VS-20-0014-TOPETE FAMILY TRUST & TOPETE RAMON & LETICIA TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Camero Avenue, and between Placid Street and Fairfield Avenue within Enterprise (description on file). MN/tk/jd (For possible action) **03/03/20 PC**
  
10. **VS-20-0023-FORD PARTNERSHIP, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Parvin Street and I-15 and between Ford Avenue and Wigwam Avenue within Enterprise (description on file). MN/sd/jd (For possible action) **03/03/20 PC**
  
11. **WS-20-0021-P8 W S TUSCAN HIGHLANDS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase the number of freestanding signs.  
**DESIGN REVIEW** for a freestanding sign in conjunction with a multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the east side of Southern Highlands Parkway and the south side of St. Rose Parkway within Enterprise. JJ/rk/jd (For possible action) **03/03/20 PC**

12. **ET-20-400005 (NZC-0530-15)-AMH NV3 DEVELOPMENT, LLC:**  
**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 5.0 acres from C-1 (Local Business) Zone to R-3 (Multi-Family Residential) Zone. Generally located on the north side of Cactus Avenue, 1,270 feet west of Maryland Parkway within Enterprise (description on file). MN/al/jd (For possible action) **03/04/20 BCC**
  
13. **UC-20-0047-MOTOR HOLDINGS, LLC:**  
**USE PERMIT** for a proposed marijuana establishment (dispensary) in conjunction with an approved office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an 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/jd (For possible action) **03/04/20 BCC**
  
14. **UC-20-0048-MOTOR HOLDINGS, LLC:**  
**USE PERMIT** for a proposed marijuana establishment (retail marijuana store) in conjunction with an approved office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an 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/jd (For possible action) **03/04/20 BCC**
  
15. **UC-20-0049-LSREF EXHIBITION INVEST, LLC:**  
**USE PERMITS** for the following: **1)** a passenger terminal (train station); **2)** retail sales; **3)** restaurants; and **4)** outside dining and drinking.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** elimination of freeway buffer; and **2)** encroachment into airspace.  
**DESIGN REVIEWS** for the following: **1)** passenger terminal (train station) and parking garage; and **2)** alternative landscaping in conjunction with a passenger terminal and parking garage on 110.7 acres in an H-1 (Limited Resort and Apartments) (AE-60 & AE-65) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Blue Diamond Road within Enterprise. MN/nr/ja (For possible action) **03/04/20 BCC**
  
16. **WS-20-0042-COUNTY OF CLARK (AVIATION):**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate freeway buffer; **2)** allow attached sidewalk; **3)** increased wall height; **4)** alternative driveway geometrics; and **5)** encroachment into airspace.  
**DESIGN REVIEWS** for the following: **1)** increased finished grade; and **2)** a distribution center on 19 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Decatur Boulevard and the south side of the CC 215 within Enterprise. MN/nr/jd (For possible action) **03/04/20 BCC**

VII. General Business

1. None.

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

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 26, 2020 at 6:00p.m.

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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LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM  
YOLANDA KING, County Manager





# Enterprise Town Advisory Board

January 29, 2020

## MINUTES

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Board Members: Jenna Waltho, Chair - **PRESENT** Barris Kaiser, Vice Chair **PRESENT**  
Rachel Pinkston **EXCUSED** David Chestnut **PRESENT**  
Kendal Weisenmiller **PRESENT**

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

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

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

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

Jared Tasko, Current Planning

II. Public Comment

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

None.

III. Approval of January 15, 2020 Minutes (For possible action)

Motion by Jenna Waltho

Action: **APPROVE**

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

IV. Approval of Agenda for January 29, 2020 and Hold, Combine or Delete Any Items (For possible action)

Motion by Jenna Waltho

Action: **APPROVE** as amended.

Motion **PASSED** (5-0) / Unanimous

Applicant requested Holds:

16. TM-20-500002-CFT LANDS, LLC: Applicant requested **HOLD** to February 12, 2020 Enterprise Town Advisory Board meeting.
23. WS-20-0012-CFT LANDS, LLC: Applicant requested **HOLD** to February 12, 2020 Enterprise Town Advisory Board meeting.

Related applications:

2. ET-19-400160 (UC-0669-16)-LEGACY BERMUDA, LLC:
14. ET-19-400170 (VS-0059-17)-LEGACY BERMUDA, LLC:
  
4. VS-19-0933-SC GILESPIE:
5. ZC-19-0928-SC GILESPIE:
  
7. NZC-19-1009-USA
8. TM-19-500269-USA:
12. VS-20-0035-USA:
  
15. TM-20-500001-COMEBACK TIME PHD 19, LLC:
20. VS-20-0011-COMEBACK TIME PHD 19, LLC:
22. WS-20-0010-COMEBACK TIME PHD 19, LLC:
  
19. VS-19-1003-TORINO 18, LLC:
24. ZC-19-1001-TORINO 18, LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events: (for discussion)
  - None

VI. Planning & Zoning

1. **ET-19-400157 (VS-0813-17)-MJSS TRUST & HEFETZ, YAKOV TRS:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and GilesPie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/lm/jd (For possible action) **01/22/20 BCC**

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



2. **ET-19-400160 (UC-0669-16)-LEGACY BERMUDA, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a congregate care facility with accessory commercial uses.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative landscaping adjacent to streets; and **2)** waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue.  
**DESIGN REVIEW** for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Erie Avenue and Bermuda Road within Enterprise. MN/tk/jd (For possible action) **01/22/20 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- Design Review as a public hearing for lighting and signage.

Per staff conditions.

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

3. **WS-19-0943-BLUE DIAMOND BLM, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative landscaping; **2)** increase wall height; **3)** cross access; **4)** reduced driveway separation; and **5)** allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** fast food restaurants with drive-thrus; and **2)** increased finished grade on 1.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the east side of Warbonnet Way (alignment) within Enterprise. JJ/pb/ja (For possible action) **01/22/20 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for lighting and signage.
- Establish cross access and shared parking with APN 17621601032 if compatible uses and grade are established.
- Use wrought iron instead of CMU wall on top of the retaining wall

Per staff if approved conditions.

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

4. **VS-19-0933-SC GILESPIE:**  
**VACATE AND ABANDON** a portion of a right-of-way being Gilespie Street located between Richmar Avenue and Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**

Motion by Jenna Waltho

Action: **APPROVE**

Per staff conditions.

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

5. **ZC-19-0928-SC GILESPIE:**  
**AMENDED ZONE CHANGE** reclassify 3.8 acres from R-2 (Medium Density Residential) Zone to C-1 (Local Business) Zone.  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced drive aisle width; 2) vertical metal siding; 3) alternative landscaping (previously not notified); and 4) alternate driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a mini-warehouse facility; and 2) increased finished grade. Generally located on the west side of Gilespie Street, 60 feet north of Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**

Motion by Jenna Waltho

Action: **APPROVE**

**ADD** Current Planning condition:

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

Per staff if approved conditions.

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

6. **DR-19-0851-A B S MOUNTAINS EDGE ENTERPRISE, LLC:**  
**DESIGN REVIEWS** for the following: 1) revisions to a proposed convenience store with gasoline sales; 2) lighting; and 3) signage in conjunction with an approved shopping center on 5.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Pyle Avenue within Enterprise. JJ/pb/ja (For possible action) **02/18/20 PC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- Free standing sign not to exceed 24 feet.
- Pole mounted lighting adjacent to residential to include additional shielding facing residential.

Per staff conditions.

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

7. **NZC-19-1009-USA:**  
**ZONE CHANGE** to reclassify a portion of 35.7 acres of a 50 acre site 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) reduced street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) a proposed single family residential development; and 2) increase finished grade on 35.7 acres. Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise (description on file). JJ/md/ja (For possible action) **02/18/20 PC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning condition:

- Comply with the Mountain's Edge architectural color pallet, landscape standards and lighting standards.
- Single-story home abutting established residential.
- Design Review as a public hearing for signage.
- Provide amenities in the open space.

Per staff conditions.

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

8. **TM-19-500269-USA:**

**TENTATIVE MAP** consisting of 253 lots and common lots on a portion of 35.7 acres of a 50 acre site in an R-2 (Medium Density Residential) Zone. Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise. JJ/md/ja (For possible action) **02/18/20 PC**

Motion by David Chestnut

Action: **APPROVE**

Per staff conditions.

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

9. **UC-20-0004-SHAMIE DANIEL A:**

**USE PERMIT** to increase the size of an accessory structure (detached garage).

**WAIVER OF DEVELOPMENT STANDARDS** to modify driveway design standards in conjunction with a single family residence on 2.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Shelbourne Avenue and the west side of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/18/20 PC**

Motion by Barris Kaiser

Action: **APPROVED**

Per staff conditions.

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

10. **VS-19-0966-FERNANDEZ GARY LEE REVOCABLE TRUST & FERNANDEZ GARY LEE TRS:**

**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue and Rush Avenue (alignment), and between Valley View Boulevard and Polaris Avenue within Enterprise (description on file). JJ/jt/jd (For possible action) **02/18/20 PC**

Motion by Jenna Waltho

Action: **APPROVE**

Per staff conditions.

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

11. **VS-19-1000-OSMAN, SAM:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Giles pie Street and La Cienega Street, and between Mesa Verde Lane and Windmill Lane within Enterprise (description on file). MN/tk/jd (For possible action) **02/18/20 PC**

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

12. **VS-20-0035-USA:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue (alignment) and Mountains Edge Parkway, and between El Capitan Way (alignment) and Durango Drive (alignment) within Enterprise (description on file). JJ/md/ja (For possible action) **02/18/20 PC**

Motion by David Chestnut  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

13. **WS-20-0006-KB HOME LV DOVER, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to waive requirements for a water connection in conjunction with a minor subdivision on 32.1 acres in an R-1E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone. Generally located on the east side of Schirlls Street and the north side of Cactus Avenue within Enterprise. JJ/al/jd. (For possible action) **02/18/20 PC**

Motion by David Chestnut  
Action: **DENY**  
Motion **PASSED** (4-0) /Unanimous

14. **ET-19-400170 (VS-0059-17)-LEGACY BERMUDA, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Erie Avenue and Siddall Avenue, and between Fairfield Avenue and Bermuda Road within Enterprise (description on file). MN/tk/jd (For possible action) **02/19/20 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
ADD Current Planning condition:  
• Until November 21, 2021 to record.  
Per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

15. **TM-20-500001-COMEBACK TIME PHD 19, LLC:**  
**TENTATIVE MAP** consisting of 20 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**

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

16. **TM-20-500002-CFT LANDS, LLC:**  
**TENTATIVE MAP** consisting of 61 residential lots on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**

Applicant requested **HOLD** to February 12, 2020 Enterprise Town Board meeting.

17. **UC-19-0991-SUMSION, DALE K. & ILENE F:**  
**USE PERMIT** for a proposed exotic animal (Capuchin monkey) in conjunction with an existing single family residence on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Deer Grove Court, approximately 100 feet north of Beckinsale Avenue within Enterprise. JJ/lm/jd (For possible action) **02/19/20 BCC**

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

18. **UC-20-0007-AFFILIATE INVESTMENTS, LLC:**  
**USE PERMITS** for the following: **1)** a convenience store; and **2)** reduce the separation from a convenience store to a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow access to a local street; and **2)** alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** modifications to an approved shopping center; and **2)** alternative parking lot landscaping on 3.4 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**

Motion by Kendal Weisenmiller  
Action: **APPROVE**  
**ADD** Current Planning condition:

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

Per staff conditions.  
Motion **PASSED** (3-1) / Kaiser-nay

19. **VS-19-1003-TORINO 18, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Torino Avenue and Pebble Road, and between Rainbow Boulevard and Redwood Street, and a portion of right-of-way being Rainbow Boulevard between Torino Avenue and Pebble Road within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**

Motion by Kendal Weisenmiller  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (3-0) /Unanimous

20. **VS-20-0011-COMEBACK TIME PHD 19, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Meranto Avenue and Serene Avenue and between Newbattle Street and Tee Pee Lane (alignment) within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**

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

21. **WS-20-0009-LVB MOBERLY, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking lot landscaping; and **2)** reduce throat depth.  
**DESIGN REVIEW** for restaurants with drive-thru on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Moberly Avenue and the west side of Giles Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**

Motion by Jenna Waltho  
Action: **APPROVE** Applicant requested **HOLD** to February 12, 2020 Enterprise Town Advisory Board meeting to consult with Public Works.  
Motion **PASSED** (4-0) /Unanimous

22. **WS-20-0010-COMEBACK TIME PHD 19, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.  
**DESIGN REVIEWS** for the following: **1)** a single family residential development; **2)** hammerhead turnaround; and **3)** increased finished grade on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**

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

23. **WS-20-0012-CFT LANDS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** allow an increase to street length.  
**DESIGN REVIEW** for a proposed single family residential development on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**

Applicant requested **HOLD** to February 12, 2020 Enterprise Town Board meeting.

24. **ZC-19-1001-TORINO 18, LLC:**  
**ZONE CHANGE** to reclassify 2.1 acres from R-E (Rural Estates Residential) Zone to C-P (Office and Professional) Zone.  
**USE PERMITS** for the following: 1) a day care; and 2) a pre-school.  
**DESIGN REVIEWS** for the following: 1) a day care and pre-school facility; and 2) increase finished grade. Generally located on the southeast corner of Rainbow Boulevard and Torino Avenue within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**

Motion by Kendal Weisenmiller  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (3-0) /Unanimous

VII. General Business:

1. None

VIII. Public Comment:

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

- None

IX. Next Meeting Date

The next regular meeting will be February 12, 2020 at 6:00 p.m.

X. Adjournment:

Motion by Jenna Waltho

Adjourn meeting at 8:41 p.m.

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

DRAFT



02/18/20 PC AGENDA SHEET

UPDATE

OUTSIDE DINING/DRINKING  
(TITLE 29)

SOUTHERN HIGHLANDS PKWY/ST. ROSE PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0926-P8 W S TUSCAN HIGHLANDS, LLC:**

**HOLDOVER USE PERMITS** for the following: **1)** expand a previously approved area for outside dining and drinking; and **2)** allow live entertainment in conjunction with a multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone.

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

---

RELATED INFORMATION:

**APN:**

191-08-301-013

**USE PERMITS:**

1. Expand a previously approved area for outside dining and drinking.
2. Allow live entertainment in conjunction with a multi-family complex.

**LAND USE PLAN:**

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) – RESIDENTIAL MEDIUM (3 DU/AC TO 14 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 12656 Southern Highlands Parkway
- Site Acreage: 15.2
- Number of Units: 302
- Density (du/ac): 20
- Project Type: Expand a previously approved area for outside dining/drinking and allow live entertainment

**History/Site Plan**

In June 2015, the Board of County Commission approved a zone change to H-1 and a design review with a special use permit to allow a multi-family development in an H-1 zoned district, and variance to increase height for the apartment complex, via ZC-0214-15. In September 2016, the Planning Commission approved a special use permit allowing a lounge (on-premises

consumption of alcohol) inside the community center/clubhouse with outside patio seating, via UC-0483-16. The Applicant is now proposing to enlarge the outside on-premises consumption of alcohol use along with use permits to allow for outside dining and live entertainment. The expanded area will include a patio/wine garden and the entire community pool area. Live entertainment will consist of, but not be limited to, the following: instruments such as piano, harp, small bands, DJ, and magicians/balloon artists. The live entertainment will be offered in the clubhouse, patio/wine garden, pool area, and event space in the leasing building. The apartment buildings are oriented in various directions with some having a north/south orientation and others having an east/west orientation. There is a mix of 2 and 3 story buildings throughout the site. The patio and pool area are internal to the site and located in the center of the development. These proposed uses are intended to provide an additional amenity solely to the residents of the complex and not the general public.

Landscaping

Interior to the site, particularly around the community center, leasing building, and recreational area, landscaping remains very similar to the original design review approval.

Applicant's Justification

According to the applicant this development, unlike a lot of other multi-family developments in the County, is zoned H-1. Because of the unique nature and zoning of the site, expanding the special use permit approval allowing for an on-premises consumption of alcohol along with outside dining and live entertainment is appropriate. The applicant is developing a high end apartment complex with an unmatched level of amenities.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0483-16	On-premises consumption of alcohol with an outside patio in conjunction with an approved multi-family complex	Approved by PC	September 2016
ZC-0214-15	Reclassified this site to H-1 zoning with a use permit to allow multi-family development in an H-1 zone, variance to increase building height, and a design review for a multi-family development	Approved by BCC	June 2015
ZC-0588-05	Reclassified a portion of this site to R-3 zoning - expunged (this site only)	Approved by BCC	June 2005
ZC-1604-99	Reclassified a portion of this site to H-1 zoning - expunged (this site only)	Approved by BCC	December 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project - Commercial Tourist	R-2	Subdivided and undeveloped
South & West	Major Development Project - Residential Medium	R-3	Undeveloped

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East*	Public Facility	P-F	Transportation facility for the School District

\*Immediately to the east is Interstate 15 South

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

### 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 29 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 expanded outside drinking and dining area and live entertainment in an H-1 zone requires submittal of a conditional use permit. These uses are intended to solely provide an additional amenity to the residents of the complex and not the general public. Furthermore, the location of the outside uses are internal to the site and located in the central portion of the development. However, staff finds that the use permit for live entertainment should have a review for any unforeseen potential impacts this use could have to the surrounding neighborhood, and also be limited to 11:00 p.m. for the outdoor live entertainment areas.

#### 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 29, and/or the Nevada Revised Statutes.

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

- No live entertainment past 11:00 p.m. for the proposed outdoor areas;
- 2 years to review the live entertainment as a public hearing.
- 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 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: 31 cards, 53 letters**

**PLANNING COMMISSION ACTION:** January 21, 2020 – HELD – To 02/18/20 – per the applicant.

**APPLICANT:** P8 WS TUSCAN HIGHLANDS, LLC

**CONTACT:** ANTHONY CELESTE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGS, NV 89135

**DRAFT**



# LAND USE APPLICATION 1A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  <input type="checkbox"/> APPLICATION REVIEW (AR)	STAFF	DATE FILED: <u>12/3/19</u> APP. NUMBER: <u>UC-19-0926</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> ACCEPTED BY: _____      TAB/CAC MTG DATE: <u>11/15/19</u> TIME: <u>6:00pm</u> FEE: <u>\$675.00</u> PC MEETING DATE: <u>1/21/20 7:00pm</u> CHECK #: <u>On-line Invoice</u> BCC MEETING DATE: _____ COMMISSIONER: <u>JJ</u> ZONE / AE / RNP: <u>H-1</u> OVERLAY(S)? <u>P-C</u> PLANNED LAND USE: <u>ENT MDP</u> PUBLIC HEARING? <input checked="" type="checkbox"/> N      NOTIFICATION RADIUS: <u>500 FT</u> SIGN? <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> N      PFNA? <input checked="" type="checkbox"/> N      LETTER DUE DATE: <u>UC-0483-10</u> APPROVAL/DENIAL BY: _____      COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>P8 W S Tuscan Highlands, LLC</u> ADDRESS: <u>2716 Ocean Park Blvd. #2025</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90405</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT	NAME: <u>P8 W S Tuscan Highlands, LLC</u> ADDRESS: <u>2716 Ocean Park Blvd. #2025</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90405</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT	NAME: <u>Kaempfer Crowell - Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>ajc@kcnvlaw.com</u> REF CONTACT ID #: <u>175451</u>

ASSESSOR'S PARCEL NUMBER(S): 191-08-301-013

PROPERTY ADDRESS and/or CROSS STREETS: Southern Highlands Parkway and St. Rose Parkway

PROJECT DESCRIPTION: Expansion of approved outside dining/drinking area & request for live entertainment

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

Robert Schulman, President  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 15, 2019 (DATE)  
 by Robert Schulman, President

NOTARY PUBLIC:



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

**KAEMPFER  
CROWELL**

**KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**

ATTORNEYS AT LAW  
LAS VEGAS OFFICE

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702.693.4216

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Fax: 702.786.7161

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5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775.852.3900  
Fax: 775.852.3982

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

December 2, 2019

UC-19-0926

**VIA HAND DELIVERY**

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

Re: *Watt SW, LLC*

*Justification Letter – Special Use Permit to Expand Approved On-Premises  
Consumption of Alcohol with Outside Dining and Live Entertainment for An Approved  
Apartment Complex  
APN: 191-08-301-013*

To Whom It May Concern:

Please be advised our office represents Watt SW, LLC (the "Applicant") in the above-referenced matter. The Applicant is developing approximately 15.23 acres located on the southeast corner of the I-15 and St. Rose Parkway interchange. The property is more particularly described as APN: 191-08-301-013 (the "Site"). The Site is located in the Southern Highlands master plan community and therefore is subject to Title 29 development standards.

By way of background, on or about June 17, 2015, the Board of County Commissioners approved a zone change to H-1 and a design review with a special use permit to allow a multi-family development in an H-1 zoned district and variance to increase height for the development of a high-end luxury apartment complex consisting of 304 units, via ZC-0214-15. Subsequently, in September, 2016, the Board of County Commissioners approved a special use permit allowing a tavern/lounge (on premise consumption of alcohol) inside the community center/clubhouse with outside patio seating, via UC-0483-16.

In conjunction with the approval of UC-0483-16, the Applicant is now proposing to enlarge the on-premises consumption of alcohol use along with use permits to allow for outside dining and live entertainment. This development, unlike most other multi-family developments in the County, is zoned H-1. Because of the unique nature and zoning of the Site, expanding the special use permit approval allowing for an on-premises consumption of alcohol along with outside dining and live entertainment is appropriate. The Applicant is developing a high-end market apartment complex with an unmatched level of amenities. Specifically, the Applicant is seeking to enlarge the special use permits to include the following areas on Site:

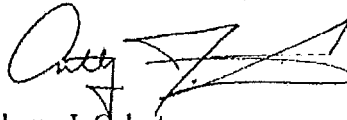
- Wine Garden – 6,401 square feet

- Pool Area – 23,251 square feet
- Sports Area – 11,346 square feet
- Leasing Conference/Banquet Room – 320 square feet

While the Applicant is looking expand the use, the site plan layout, including the pool and cabana areas, is generally unchanged from the original design review approval. We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO



Anthony J. Celeste

AJC/MAO





SILVERADO COURT VIII  
(TITLE 30)

STARR AVE/LA CIENEGA ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-20-500002-CFT LANDS, LLC:**

**TENTATIVE MAP** consisting of 61 residential lots on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-33-801-019

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15
- Number of Lots: 61 (single family residential lots)/3 (common element)
- Density (du/ac): 4.8 (R-1 zone)/3.2 (R-D zone)
- Minimum/Maximum Lot Size:
  - R-1 zone: 5,330/6,915 (gross) and 4,738/6,070 (net)
  - R-D zone: 10,354/18,146 (gross) and 9,013/13,003 (net)
- Project Type: Single family residential development

History

The subject property was approved for a single family residential development; however, it was limited to R-1 zoning on the east and south portions of the parcel (approximately 6.0 acres) and R-D zoning on the remainder of the site (approximately 8.4 acres).

Site Plans

The plans depict a proposed single family residential subdivision consisting of 61 lots. The area for the R-1 zoned lots along Starr Avenue includes a landscape easement between the walls of the subdivision and Starr Avenue. Additionally, a 6 foot wide landscape easement is shown adjacent to the corner lots within the interior of the site. Therefore, the net lot area (the useable area) of these lots range from a minimum of 4,738 square feet to a maximum of 6,070 square feet. The area of the R-D zoned lots includes the adjacent private streets so that the net lot area ranges from a minimum of 9,013 square feet to a maximum of 13,003 square feet. Access to the

project is from Starr Avenue to the south and Terrill Avenue to the northeast. The lots are served by 38 foot wide internal private streets with an attached sidewalk on 1 side of the street. The historical drainage flows traditionally crosses the property from south to north, and those flows are directed through a proposed underground drainage channel contained within 2 common elements (Common Element B and Common Element C) where Common Element B includes a pedestrian path that will connect the northerly internal street to the southerly internal street. There is a connection of streets (Wakefield Avenue, Alloroestate Street, and Cantiga Avenue) surrounding 20 R-D zoned lots that is 1,645 feet in length.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0546	Design Review for a proposed single family residential development on a portion of the site	Withdrawn by BCC	October 2019
TM-19-500142	29 single family residential lots on a portion of the site	Withdrawn by BCC	October 2019
NZC-18-1028	Reclassified the site to R-1 & R-D zoning (this request was limited to R-1 zoning on the east and south portions of the parcel and reduced to R-D zoning on the remainder of the site)	Approved by BCC	April 2019
VS-18-1029	Vacated and abandoned easements and rights-of-way	Approved by BCC	April 2019
TM-18-500243	75 single family residential lots	Denied by BCC	April 2019
NZC-18-0055	Reclassified the site to R-2 zoning for a single family residential development	Withdrawn at BCC	June 2018
VS-18-0056	Vacated and abandoned easements and rights-of-way	Withdrawn at BCC	June 2018
TM-18-500009	86 single family residential lots	Withdrawn at BCC	June 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence & undeveloped
South	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E & P-F	Schorr Elementary school, single family residence & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Single family residence & undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-20-0012	A waiver to increase the block length 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.

**Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport 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**

- 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.
- 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 55 feet to back of curb for Starr Avenue and all portions of the cul-de-sac that are necessary to provide a complete County approved turnaround on Placid Street;
- If required by the Regional Transportation Commission (RTC), relocate the 10 foot by 25 foot bus shelter pad that is shown adjacent to Lot 1 to an area adjacent to Lots 5, 6 or 7;

- Fire Department approval of all over-length streets;
- Prior to the approval of the off-site improvement plans, the applicant shall provide a written notarized letter from the owner of APN: 177-33-801-012 approving the proposed access to his or her property.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights and traffic control.

**Current Planning Division - Addressing**

- No comment.

**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; and 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 funds will not be available in the future should the residents wish to have their homes 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 #0003-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** AMERICAN WEST DEVELOPMENT, INC  
**CONTACT:** ALYSHA HARRIS, WESTWOODS PS, 5740 ARVILLE STREET, SUITE 216,  
LAS VEGAS, NV 89118



# TENTATIVE MAP APPLICATION 2A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>1/3/2020</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$750</u> CHECK #: <u>99981</u> COMMISSIONER: <u>LMN</u> OVERLAY(S)? <u>N/A</u> TRAILS? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> PFNA? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	APP. NUMBER: <u>TM-20-500002</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/19/20</u> ZONE / AE / RNP: <u>RD/R-1</u> PLANNED LAND USE: <u>ENTRL</u> NOTES: <u>WS-20-0012</u> <u>companion</u>
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PROPERTY OWNER	NAME: <u>CFT Lands, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pulteigroup.com</u>
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APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pulteigroup.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Westwood</u> ADDRESS: <u>5740 South Arville, Suite 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>cjensen@shg-inc.com</u> REF CONTACT ID #: <u>188046</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-33-801-019

PROPERTY ADDRESS and/or CROSS STREETS: Starr Ave / Fairfield Ave

TENTATIVE MAP NAME: Silverado Court VIII

NUMBER OF LOTS: 61, 3 CL GROSS/NET ACREAGE \_\_\_\_\_ GROSS/NET DENSITY \_\_\_\_\_

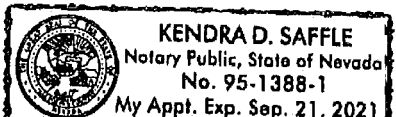
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Lawrence D. Canarelli  
 Property Owner (Signature)\* Property Owner (Print)
u

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 14, 2019 (DATE)  
 By Lawrence D. Canarelli

NOTARY PUBLIC:



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



AWD1705.000

TU-20-500002

October 14, 2019

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

**SUBJECT: Tentative Map for Silverado Court VIII**

To Whom it May Concern:

On behalf of our client American West Development, Inc. we respectfully request the Tentative Map to be heard at the Planning Commission meeting concurrently with the Design Review. It is our understanding per Nevada Revised Statutes that Tentative Maps are required to have Commission actions within 45 days. However, American West Development, Inc., would like the applications to go concurrent since they are companion items on the same site.

Sincerely,  
Slater Hanifan Group, Inc.

Alysha Harris  
Project Coordinator II

02/19/20 BCC AGENDA SHEET

RESTAURANTS WITH DRIVE-THRU  
(TITLE 30)

LAS VEGAS BLVD S/MOBERLY AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0009-LVB MOBERLY, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking lot landscaping; and 2) reduce throat depth.  
**DESIGN REVIEW** for restaurants with drive-thru on 3.2 acres in an I-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Moberly Avenue and the west side of Giles Street within Enterprise. MN/lm/jd (For possible action)

---

RELATED INFORMATION:

APN:  
177-09-311-001

**WAIVERS OF DEVELOPMENT STANDARDS:**  
1. Eliminate a landscape finger in a portion of the parking lot (north) per Figure 30.64.14.  
2. Reduce throat depth to 32.01 feet on Las Vegas Boulevard South where 75 feet is required per Uniform Standard Drawing 222.1 (a 57.3% reduction).

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

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

- Site Address: 7740 Las Vegas Boulevard South
- Site Acreage: 3.2
- Project Type: Restaurants with drive-thru
- Number of Stories: 1
- Building Height: 20 feet, 1 inch
- Square Feet: 1,805 (Building 1)/1,810 (Building 2)
- Parking Required/Provided: 157/157

### History

This site was previously approved for a hotel with kitchens in rooms and a pad site. The current application will in-fill the undeveloped pad site.

### Site Plan

The plan depicts 2 proposed drive-thru restaurant buildings located on an undeveloped pad site on the westerly portion of an existing hotel site. Access to the site is from existing driveways on Las Vegas Boulevard South and Moberly Avenue, and via cross access through the existing convenience store site to the south, and the retail center to the north. The buildings are set back over 100 feet from Las Vegas Boulevard South with drive aisles and parking is located on the west, north, and east sides of the buildings. Cross access is provided at the southwest corner of the site with a 43 foot wide drive aisle connecting the site to the convenience store, and 24 foot wide drive aisles to the retail center to the north. Additionally, bicycle parking is located on the north side of northerly building (Building 2). The restaurants face Las Vegas Boulevard South with the drive-thru entrances located between the convenience store to the south and the southerly side of the restaurant Building 1. The shared drive-thru entrances will split for the 2 proposed users with the southerly restaurant (Building 1) having the lane run from the south of Building 1 then north along the east side of the building and then traverse between the buildings to the pick-up service window on the north side of the building, and exit to the west of the buildings. The drive-thru lane for Building 2 will run from the south of Building 1 then north along the east side of both buildings to the pick-up service window and exit at the northeast corner of Building 1. The order call boxes are located on the east and southerly ends of the corresponding drive-thru lanes. A covered trash enclosure is located on the north side of Building 2 along with a loading zone located in the parking area to the east of Building 2. Additional parking will be constructed to the east of the buildings for the benefit of the restaurants and the hotel guests. The existing parking area adjacent to Las Vegas Boulevard South will be re-striped to provide pedestrian access from Las Vegas Boulevard South to the entrances of the restaurants.

### Landscaping

Street landscaping exists along Las Vegas Boulevard South, with parking lot trees added to the parking lot finger and northerly portion of the parking area. Parking lot landscaping is provided along the west sides of the buildings as well as in the new easterly parking area. Parking lot landscaping is provided along the northerly parking area; however, it is deficient by 1 landscape finger as required by Figure 30.64-14. Between the eastern parking lot and the drive-thru lane for Building 2 is a narrow landscape planter with a 42 inch high block wall and shrubbery. Landscape planters with shrubbery are provided along the south and east elevations of Building 1, and along the north, west, and south sides of Building 2.

### Elevations

The front (west) elevation includes a variety of exterior materials, various roof elements at different heights (maximum height of 20 feet 1 inch), and off-set surface planes. Materials include painted stucco with stone cladding, metal awning over the storefront entries and windows. The building accent materials are visible from all elevations; however the south and east elevations have limited visual enhancements and represent the rear of the buildings. Additionally, the drive-thru between the buildings is partially covered over the service window



with the cover being an extension of the awning on the west side of the northerly building (Building 2) and connects the buildings visually. Each building face includes shielded lighting with complementary accent fixtures to the exterior materials.

Floor Plans

The southerly building (Building 1) consists of 1,805 square feet and the northerly building (Building 2) consists of 1,810 square feet, both for a future drive-thru restaurant.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that at the time of submittal there are no specific proposed tenants. The proposed connecting roof structure covering the drive-thru is designed to complement the existing businesses along Las Vegas Boulevard South between Moberly Avenue and Warm Springs Road. Additionally, the future uses will provide an added benefit to the existing hotel guests to provide additional dining options within walking distance.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-500130-16	1 lot commercial subdivision	Approved by PC	October 2016
VS-0439-15	Vacated and abandoned rights-of-way for Giles Street and Moberly Avenue	Approved by BCC	September 2015
DR-0437-15	120 room hotel with kitchens in rooms	Approved by BCC	September 2015
DR-1863-97	A 184 unit hotel	Withdrawn by Applicant	November 1997

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Shopping center
South	Commercial Tourist	H-1 & C-1	Hotel, convenience store, & restaurant
East	Office Professional	R-E	Single family residential & undeveloped
West	Commercial Tourist	II-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Although the project does not include the necessary landscape fingers required by Title 30, the design does allocate additional landscaping along the west elevation of the buildings with 4 landscape fingers where 2 are required, with large trees along the north and west parking areas. As a result, the alternative design standard does provide acceptable landscaping on the site to comply with Urban Specific Policy 67 in the Comprehensive Master Plan, which encourages, in part, appropriate landscaping with all commercial developments.

#### Design Review

Overall, the design complies with several goals and policies in the Comprehensive Master Plan. For example, Goal 9 encourages commercial development integrated in appropriate locations throughout the community (the site is located on Las Vegas Boulevard South); Urban Specific Policy 65 encourages commercial development with cross access (the site incorporates cross access to the north, south, and east). Lastly, Urban Specific Policy 78 encourages architectural treatments on all sides of the building. Although the east and south elevations are designed with more limited architectural cladding materials and architectural features, these back sides of the buildings contain sufficient design elements and materials to satisfy Policy 78; therefore, staff can support the design review.

#### Public Works - Development Review

##### Waiver of Development Standards #2

The commercial driveway is already existing on this site and staff recommended alternatives to help minimize the conflicts with the site design. The site is still designed to have ingress traffic turning off of Las Vegas Boulevard South into immediate conflict with cross access, parking stalls and the drive-thru exit; therefore, staff cannot support the reduction in the throat depth.

#### **Staff Recommendation**

Approval of waiver of development standards #1 and the design review; denial of waiver of development standards #2.

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:

- 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;
- 6 months to perform and have recorded a Record of Survey to determine the underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South.

**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 #0006-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUN WEST CUSTOM HOMES

**CONTACT:** SUN WEST CUSTOM HOMES, 6675 CIMARRON RD #100, LAS VEGAS, NV 89113





# LAND USE APPLICATION 3A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS) *1/24/20*
- DESIGN REVIEW (DR) *500*
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
  - (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
  - (ORIGINAL APPLICATION #)

**STAFF**

DATE FILED: 1/3/2020 APP. NUMBER: WS-20-0009  
 PLANNER ASSIGNED: LMN TAB/CAC: ENTERPRISE  
 ACCEPTED BY: LMN TAB/CAC MTG DATE: 1/29/20 TIME: 6 pm  
 FEE: 5975 PC MEETING DATE: ---  
 CHECK #: 6323 BCC MEETING DATE: 2/19/20  
 COMMISSIONER: LMN ZONE / AE / RNP: H-1  
 OVERLAY(S)? NA MUD PLANNED LAND USE: ENT CT  
 PUBLIC HEARING?  N NOTIFICATION RADIUS: 500 SIGN?  N  
 TRAILS?  N PFNA?  N LETTER DUE DATE: ---  
 APPROVAL/DENIAL BY: --- COMMENCE/COMPLETE: ---

**PROPERTY OWNER**

NAME: L V B MOBERLY L L C  
 ADDRESS: 6675 S CIMARRON RD #100  
 CITY: LAS VEGAS STATE: NV ZIP: 89113  
 TELEPHONE: 702-363-8060 CELL: ---  
 E-MAIL: DAN@SUNWESTCUSTOMHOMES.COM

**APPLICANT**

NAME: LEE NAVE  
 ADDRESS: 6675 S CIMARRON RD #100  
 CITY: LAS VEGAS STATE: NV ZIP: 89113  
 TELEPHONE: 702-363-8060 CELL: ---  
 E-MAIL: LEE@SUNWEST... REF CONTACT ID #: ---  
LEE@SUNWESTCUSTOMHOMES.COM

**CORRESPONDENT**

NAME: LEE NAVE  
 ADDRESS: 6675 S CIMARRON RD #100  
 CITY: LAS VEGAS STATE: NV ZIP: 89113  
 TELEPHONE: 702-363-8060 CELL: ---  
 E-MAIL: ...CUSTOMHOMES.COM REF CONTACT ID #: ---  
LEE@SUNWESTCUSTOMHOMES.COM

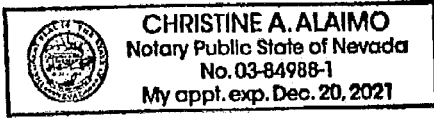
ASSESSOR'S PARCEL NUMBER(S): 177-09-311-001  
 PROPERTY ADDRESS and/or CROSS STREETS: LAS VEGAS BLVD S & MOBERLY AVE  
 PROJECT DESCRIPTION: LVB FRONT PAD

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

[Signature] Property Owner (Signature)\*      DAN COLETTI Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON SEPT 30 2019 (DATE)  
 By CHRISTINE A. ALAIMO  
 NOTARY PUBLIC: Christine A. Alaimo



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

WS-20-0009

SUN  WEST  
C O M M E R C I A L L L C

6675 Cimarron St. #100 Las Vegas, NV 89113 p. 702.363.8060 Lic. #62690

1/2/2020

Clark County Nevada  
Building Department  
500 S. Grand Central Parkway  
Las Vegas, NV 89155-1810

RE: APN 177-09-311-001

To Whom It May Concern:

We are asking permission to build 2 one-story commercial buildings. At the time of this submittal we do not have any tenants. The buildings however will be used for fast food restaurants and both will have a drive-thru window. The buildings will have a connecting roof structure covering the drive-thru window for building #1. We believe this project would complement the existing businesses along Las Vegas Blvd between Moberly and Warm Springs. The project will also benefit the existing hotel located within the same parcel. These two buildings would also provide guests staying at the hotel additional dining options within walking distance. We are providing an additional 37 parking spaces for these new buildings. These spaces along with the existing 120 spaces for the hotel will meet the required 157 spaces overall for the parcel.

As there are there are two existing entrances on to the parcel along with a cross access easement for the entry from Las Vegas Blvd., we would ask for a waiver for the throat depth if it is found that it does not meet the required length.

We also would ask for a waiver at the northern parking lot landscape as we do not meet the finger reduction of 1:7 where 1:6 is required.

Thank you,



Daniel S. Coletti  
Owner  
Sun West Commercial, LLC

CIVIL  
ENGINEER

02/19/20 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

STARR AVE/LA CIENEGA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-20-0012-CFT LANDS, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** allow an increase to street length.  
**DESIGN REVIEW** for a proposed single family residential development on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action)

---

RELATED INFORMATION:

**APN:**

177-33-801-019

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase street length to 1,645 feet where a maximum length of 1,500 feet is permitted per Figure 30.52-2 (a 9.7% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15
- Number of Lots: 61 (single family residential lots)/3 (common element)
- Density (du/ac): 4.8 (R-1 zone)/3.2 (R-D zone)
- Minimum/Maximum Lot Size:
  - R-1 zone: 5,330/6,915 (gross) and 4,738/6,070 (net)
  - R-D zone: 10,354/15,146 (gross) and 9,013/13,003 (net)
- Project Type: Single family residential development
- Number of Stories: 2 and 3
- Building Height (feet): Up to 35
- Square Feet: 2,940/4,217

### History

The subject property was approved for a single family residential development; however, it was limited to R-1 zoning on the east and south portions of the parcel (approximately 6.0 acres) and R-D zoning on the remainder of the site (approximately 8.4 acres).

### Site Plans

The plans depict a proposed single family residential subdivision consisting of 61 lots. The area for the R-1 zoned lots along Starr Avenue includes a landscape easement between the walls of the subdivision and Starr Avenue. Additionally, a 6 foot wide landscape easement is shown adjacent to the corner lots within the interior of the site. Therefore, the net lot area (the useable area) of these lots range from a minimum of 4,738 square feet to a maximum of 6,070 square feet. The area of the R-D zoned lots includes the adjacent private streets so that the net lot area ranges from a minimum of 9,013 square feet to a maximum of 13,003 square feet. Access to the project is from Starr Avenue to the south and Terrill Avenue to the northeast. The lots are served by 38 foot wide internal private streets with an attached sidewalk on 1 side of the street. The historical drainage flows traditionally crosses the property from south to north, and those flows are directed through a proposed underground drainage channel contained within 2 common elements (Common Element B and Common Element C) where Common Element B includes a pedestrian path that will connect the northerly internal street to the southerly internal street. There is a connection of streets (Wakefield Avenue, Alloroestate Street, and Cantiga Avenue) surrounding 20 R-D zoned lots that is 1,645 feet in length.

### Landscaping

A 15 foot wide landscape area which includes a detached sidewalk is shown along Starr Avenue. Internal to the development are additional street landscape buffers along corner side lots, and a landscaped common element along the west property line (Common Element A). The 2 common elements over the proposed underground drainage channel will be finished in rock mulch fill. The landscape easements and common lots will be maintained by Landscape Maintenance Corporation (Homeowners Association).

### Elevations

Four different model home plans with 4 separate elevations per plan are offered by the developer. Of these 4 plans, 3 are 2 stories while the remaining plan is a 3 story model. The 3 story model is within the height requirements of the R-1 zoning district (35 feet), and offers an optional roof deck. The building materials consist of concrete tile roofs, stone veneer, and stucco finished walls with decorative pop-outs, wrought iron railing, and fenestration on windows and doors on all sides of the residential models.

### Floor Plans

The plans consist of 4 floor models that include 2 and 3 car front loaded garages and range in size from 2,940 square feet to 4,217 square feet.

### Applicant's Justification

The applicant indicates the proposed community will blend well with surrounding neighborhoods, and is designed to be a suitable transition between the existing rural neighborhood to the north and the higher density residential to the south and east. Additionally,



a common element will serve as a pedestrian corridor to connect the 2 main streets within the subdivision with the entry street which also serves as a drainage easement for an underground drainage facility in lieu of 2 long dead-end streets. The proposed pedestrian walk connects the 2 east/west streets along the same alignment as the entry street and eliminates the concern about pedestrian circulation and access to the entrance of the parcel.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0546	Design Review for a proposed single family residential development on a portion of the site	Withdrawn at BCC	October 2019
TM-19-500142	29 single family residential lots on a portion of the site	Withdrawn At BCC	October 2019
NZC-18-1028	Reclassified the site to R-1 & R-D zoning (this request was limited to R-1 zoning on the east and south portions of the parcel and reduced to R-D zoning on the remainder of the site)	Approved by BCC	April 2019
VS-18-1029	Vacated and abandoned easements and rights-of-way	Approved by BCC	April 2019
TM-18-500243	75 single family residential lots	Denied by BCC	April 2019
NZC-18-0055	Reclassified the site to R-2 zoning for a single family residential development	Withdrawn at BCC	June 2018
VS-18-0056	Vacated and abandoned easements and rights-of-way	Withdrawn at BCC	June 2018
TM-18-500009	86 single family residential lots	Withdrawn at BCC	June 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence & undeveloped
South	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E & P-F	Schorr Elementary school, single family residence & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Single family residence & undeveloped

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

**Related Applications**

Application Number	Request
TM-20-500002	A tentative map for a 61 lot residential 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**

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 current request is consistent with Policy 38 of the Comprehensive Master Plan which encourages new residential development adjacent to RNP areas to transition with appropriate lot sizes. Staff also finds the layout and design of this proposal will be compatible with the surrounding area. However, staff finds the lack of landscaping or pedestrian amenities within pedestrian walk (Common Element B) deficient to support the applicant's justification for pedestrian connections. Pedestrian amenities are encouraged by Growth Management Community Design Policies of the Comprehensive Master Plan Policy 2, and new development is encouraged to incorporate ample active and passive open space per the Urban Specific Policy 17. Pedestrian scale site furnishings provided along open spaces to create visual continuity, reinforce the pedestrian character, and provide outdoor use areas as encouraged in Urban Specific Policy 18. Staff can support the design with the addition of pedestrian amenities (i.e. benches, waste/pet waste receptacles, public art) provided within the Common Element.

**Public Works - Development Review**

Waiver of Development Standards

Staff has no objection to the over-length street as long as the Fire Department approved the request.

**Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport 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, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **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;
- Provide several pedestrian amenities within Common Element B;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised to provide landscaping per Figure 30.64-5 or Figure 30.64-6 along Placid Street termination; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to back of curb for Starr Avenue and all portions of the cul-de-sac that are necessary to provide a complete County approved turnaround on Placid Street;
- If required by the Regional Transportation Commission (RTC), relocate the 10 foot by 25 foot bus shelter pad that is shown adjacent to Lot 1 to an area adjacent to Lots 5, 6 or 7;
- Fire Department approval of all over-length streets;
- Prior to the approval of the off-site improvement plans, the applicant shall provide a written notarized letter from the owner of APN: 177-33-801-012 approving the proposed access to his or her property.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); 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.

#### **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; and 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 funds will not be available in the future should the residents wish to have their homes 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 #0003-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** AMERICAN WEST DEVELOPMENT, INC  
**CONTACT:** ALYSHA HARRIS, WESTWOODS PS, 5740 ARVILLE STREET, SUITE 216,  
LAS VEGAS, NV 89118

DRAFT



# LAND USE APPLICATION

# 4A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
  - ZONE CHANGE
    - CONFORMING (ZC)
    - NONCONFORMING (NZC)
  - USE PERMIT (UC)
  - VARIANCE (VC)
  - WAIVER OF DEVELOPMENT STANDARDS (WS) 73
  - DESIGN REVIEW (DR) 1000
  - PUBLIC HEARING
  - ADMINISTRATIVE DESIGN REVIEW (ADR)
  - STREET NAME / NUMBERING CHANGE (SC)
  - WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
  - EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)
- DEVELOPMENT AGREEMENT (DA)

<b>STAFF</b>	DATE FILED: <u>1/3/2020</u>	APP. NUMBER: <u>NS-20-0012</u>
	PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC: <u>ENTERPRISE</u>
	ACCEPTED BY: <u>LMN</u>	TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6:00</u>
	FEE: <u>\$1475</u>	PC MEETING DATE: _____
<b>PROPERTY OWNER</b>	CHECK #: <u>099982 E. Cash</u>	BCC MEETING DATE: <u>2/19/20</u>
	COMMISSIONER: <u>MN</u>	ZONE / AE / RNP: <u>RD/R-1</u>
	OVERLAY(S)? <u>N/A</u>	PLANNED LAND USE: <u>ENTRPL</u>
	PUBLIC HEARING? <u>Y/N</u>	NOTIFICATION RADIUS: <u>1500</u> SIGN? <u>Y/N</u>
<b>APPLICANT</b>	TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u>	LETTER DUE DATE: _____
	APPROVAL/DENIAL BY: _____	COMMENCE/COMPLETE: _____
	NAME: <u>CFT Lands, LLC</u>	
	ADDRESS: <u>250 Pilot Road, Suite 140</u>	
<b>CORRESPONDENT</b>	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>	
	TELEPHONE: <u>702-736-6434</u> CELL: _____	
	E-MAIL: <u>kendra.saffle@pultegroup.com</u>	
	NAME: <u>American West Development, Inc.</u>	
	ADDRESS: <u>250 Pilot Road, Suite 140</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>	
	TELEPHONE: <u>702-736-6434</u> CELL: _____	
	E-MAIL: <u>kendra.saffle@pultegroup</u> ACA CONTACT ID #: _____	
	NAME: <u>Westwood</u>	
	ADDRESS: <u>5740 South Arville, Suite 216</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>	
	TELEPHONE: <u>702-284-5300</u> CELL: _____	
	E-MAIL: <u>cjensen@shg-inc.com</u> ACA CONTACT ID #: <u>188046</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-019

PROPERTY ADDRESS and/or CROSS STREETS: Starr Ave / Fairfield Ave

PROJECT DESCRIPTION: Single Family Residential Subdivision

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

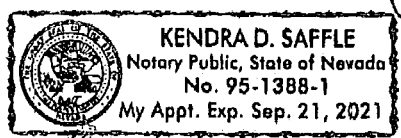
Lawrence D. Canarelli  
Property Owner (Signature)\*

Lawrence D. Canarelli  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 14, 2019 (DATE)  
By Lawrence D. Canarelli

NOTARY PUBLIC: [Signature]



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

# Westwood

5740 S. Arville St., Suite 216  
Las Vegas, NV 89118

Main (702) 284-5300

westwoodps.com  
(888) 937-5150

December 30, 2019

Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

RE: **Silverado Court VIII**  
**Westwood Project No. AWD1705-000**  
**Justification Letter for Waiver of Design Standards & Design Review**

Westwood Professional Services, on behalf of our client, American West Development, respectfully submits this justification application for a Waiver of Design Standards and Design Review.

The project site associated with the subject application is approximately 15.0+ gross acres and covers APN 177-33-801-019. It is located in a portion of the South ½ of the Southeast ¼ of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada.

The proposed community is a residential subdivision on approximately 15+ gross acres with 58 lots and a density of 3.9 du/ac. In this development, American West Development will offer 4 different house plans with 4 separate elevations per plan. Of these four house plans, one is 3-stories tall and three are 2-stories tall. House sizes ranges from 5,330 gross SF to 6,915 gross SF, with the target buyer being established families, 2nd upgrades homes and multi-gen residences. This subdivision is designed with private streets with sidewalk on one side that are in compliance with the CCAUSD. There is a proposed 15-foot landscape easement with detached sidewalk along Starr Ave. that will be landscaped in compliance with Title 30 requirements. This project also proposes a 9,900 s.f. Common Element to serve as a pedestrian corridor to connect the two main streets in line with the entry street, that will also serve as a drainage easement for an underground drainage facility. Legal ingress/egress access will be provided to the property to the north from Terrill Ave at the northeast corner of the development. The proposed community is designed to be a suitable transition between the existing rural neighborhood to the north and the higher density residential to the south and east. We feel that the proposed project will blend well with the surrounding neighborhood by appropriately transitioning from a low density residential to the higher density residential to the south and the more intense St. Rose corridor.

## Waiver of Standards

The project is being developed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 for the project needed to develop the site and anticipated product.

**CIVIL  
ENGINEERING**

**1. Section 30.52.052 – Street Configuration is Residential Subdivisions**


**Standard:** Streets shall not exceed one thousand five hundred (1,500') feet in length

**Request:** Allow 1,645' in length

**Justification:** This waiver will promote connectivity through the site, making it more efficient design, in lieu of 2 long dead-end streets that would be in compliance with Title 30. There is a proposed pedestrian walk that connects the two east/west streets along the same alignment as the entry street and eliminates the concern for poor pedestrian circulation and access to the entrance of the parcel.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,



**Corey Lieber, PE**  
**Project Manager**  
Westwood Professional Services

Cc: Kendra Saffle, American West Development;  
Chelsea Jensen, Westwood Professional Services





COMMERCIAL CENTER  
(TITLE 30)

SILVERADO RANCH BLVD/SCHUSTER ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-20-0030-TESORI, LLC:**

**ZONE CHANGE** to reclassify 3.2 acres from R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone to C-2 (General Commercial) Zone.

**USE PERMIT** to reduce the separation from an on-premises consumption of alcohol establishment (tavern) to a residential use.

**WAIVER OF DEVELOPMENT STANDARDS** for reduced driveway separation.

**DESIGN REVIEWS** for the following: 1) 2 commercial centers; and 2) alternative landscaping.

Generally located on the south side of Silverado Ranch Boulevard and the east and west sides of Schuster Street within Enterprise (description on file). JJ/pb/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-30-503-007; 177-30-503-009

**USE PERMIT:**

Reduce the separation from a tavern on the eastern parcel to a residential use to the south to 171 feet where 200 feet is the standard per Table 30.44-1 (a 15% reduction).

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the departure distance to the driveway on the western parcel along Schuster Street from the intersection of Silverado Ranch Boulevard to 92 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 51.6% reduction).
- b. Reduce the approach distance to the driveway on the eastern parcel along Schuster Street from the intersection of Silverado Ranch Boulevard to 104 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 30.7% reduction).

**DESIGN REVIEWS:**

1. a. Commercial center with 1 retail building and a tavern on the eastern parcel.
- b. Commercial center with 2 retail buildings on the western parcel.
2. Alternative parking lot landscaping standards per Figure 30.64-14.

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 3.2
- Project Type: 2 commercial centers
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 17,250 (eastern parcel)/9,000 (western parcel)
- Parking Required/Provided: 99/100 (eastern parcel)/36/36 (western parcel)

**Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on January 8, 2020 as required by the nonconforming zone boundary amendment process, prior to the formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. Four neighbors attended. They had no objections to the request other than concerns about lighting and screening. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a nonconforming zone boundary amendment.

Request

The request is to allow C-2 zoning for 2 commercial centers on the east and west sides of Schuster Street.

Commercial center on the eastern parcel (APN: 177-30-503-007)

Site Plans

The plans depict a commercial center consisting of a 5,000 square foot tavern located on the northwestern portion of the parcel and a 12,250 square foot retail building located on the southern portion of the parcel. Parking spaces are provided around the buildings and the parcel has access to the adjacent C-2 zoned parcel to the east, Silverado Ranch Boulevard to the north, and Schuster Street to the west. The approach distance from the driveway on Schuster Street is 104 feet from the intersection with Silverado Ranch Boulevard.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is located along Silverado Ranch Boulevard and Schuster Street. A 10 foot wide landscape area with intense landscaping per Figure 30.64-12 is located along the southern boundary of the parcel. Diamond shaped landscape planters instead of landscape island fingers are distributed throughout the parking lot.

### Elevations

The tavern ranges in height from 20 feet to 28 feet and Retail Building 1 ranges in height from 22 feet to 26 feet. Both buildings have flat roofs with parapet walls and similar facades including painted cement plaster, neutral colors, aluminum storefront windows and doors, and awnings.

### Floor Plans

The tavern is a 5,000 square foot shell building and Retail Building 1 is a 12,250 square foot shell building with multiple lease spaces.

Commercial center on the western parcel (APN: 177-30-503-009)

### Site Plan

The plans depict a commercial center consisting of a 2,500 square foot retail building located on the northeastern portion of the parcel and a 6,500 square foot retail building located on the southern portion of the parcel. Parking spaces are provided between the buildings and the parcel has access to Schuster Street to the east. The departure distance from the driveway on Schuster Street is 92 feet from the intersection with Silverado Ranch Boulevard.

### Landscaping

A 15 foot wide landscape area with a detached sidewalk is located along Silverado Ranch Boulevard and a 10 foot wide landscape area is located adjacent to an attached sidewalk along Schuster Street. A 10 foot wide landscape area with intense landscaping per Figure 30.64-12 is located along the southern boundary of the parcel. Landscape island fingers are distributed throughout the parking lot.

### Elevations

Retail Building 2 ranges in height from 25 feet to 27 feet and Retail Building 3 ranges in height from 20 feet to 26 feet. Both buildings have flat roofs with parapet walls and similar facades including painted cement plaster, neutral colors, aluminum storefront windows and doors, and awnings.

### Floor Plans

Retail Building 2 is a 6,500 square foot shell building and Retail Building 3 is a 2,500 square foot shell building, both with multiple lease spaces.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates there have been significant changes in the area with increased traffic from I-15 and the construction of hundreds of homes in the surrounding area. Most of the site is planned for Commercial Neighborhood and the adjacent parcel to the east has been recently zoned C-2 so the request is compatible with the area. The increase in intensity to C-2 will not negatively impact the infrastructure and public services in the area since most of the site is already designated Commercial Neighborhood in the Enterprise Land Use Plan. The applicant

also indicates the request conforms to several County goals and policies such as Goal 9 which encourages commercial development integrated in appropriate locations throughout the community and a site design compatible with adjacent land uses and off-site circulation patterns. A landscape buffer will be provided to mitigate negative impacts associated with the use permit.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-17-1061	For a proposed single family residential development and increased finished grade	Approved by BCC	January 2018
TM-17-500210	Single family residential lots	Approved by BCC	January 2018
ZC-0586-17	Reclassified a portion of the site to R-2 zoning with the design review portion withdrawn by the applicant	Approved by BCC	November 2017
TM-0119-17	Single family residential lots - withdrawn	Withdrawn without prejudice	November 2017
VS-0588-17	Vacated and abandoned easements, right-of-way easements, and a portion of right-of-way being Landberg Avenue	Approved by BCC	November 2017
NZC-0308-17	Reclassified a 2.5 acre portion of the site to R-2 zoning for a single family residential development	Withdrawn without prejudice	November 2017
TM-0087-17	Single family residential lots (11)	Withdrawn without prejudice	November 2017
VS-0309-17	Vacated and abandoned government patent easements and right-of-way easements	Withdrawn without prejudice	November 2017

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

## Analysis

### Current Planning

#### 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, re-adoption 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 2014 designating the area between Silverado Ranch Boulevard and Landberg Avenue and between Valley View Boulevard and Schuster Street as Commercial Neighborhood while the land to the west of Schuster Street and south of Landberg Avenue was designated Residential Suburban. The Enterprise Land Use Plan clearly established Schuster Street and Landberg Avenue as boundaries between the commercial and residential development in the area.

In October 2019, C-2 zoning was approved for the adjacent 2.8 acres to the east by action of NZC-19-0504; and therefore, there has been a change in the facts since the adoption of the plan that makes the proposed nonconforming zone boundary amendment appropriate for the eastern parcel (APN: 177-30-503-007).

In November 2017, R-2 zoning was approved by action of ZC-17-0586 for 16.3 acres to the west of Schuster Street and the south of Landberg Avenue, which included the western parcel of the subject zone change (APN: 177-30-503-009). The plans approved with the R-2 zone change and subsequent design reviews show the western parcel of this request being developed with 5 single family residential lots; therefore, staff finds that there has been no change in law, policies, trends, or facts that have substantially changed the character or condition of the area that makes the proposed non-conforming zone boundary amendment appropriate for the western parcel.

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

The requested zoning, proposed uses, and the design of the site on the eastern parcel are compatible with the approved zoning and development on the adjacent parcel to the east. The plans submitted with this application and approved with NZC-19-0504 show cross access with both sites. Furthermore, the adjacent parcels to the south are designated Commercial Neighborhood; therefore, the request for the eastern parcel is compatible with the planned land uses to the east and south.

The parcels to the north, west, and south of the western parcel are designated Residential Suburban and the parcel to the south have been approved for R-2 zoning to allow single family residential uses. Furthermore, there are existing single family residences on large lots adjacent to

the west of the site, therefore, staff finds the request for the western parcel is not compatible with the existing and planned land uses in the surrounding area.

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

There has been no indication from the public service providers that the proposed development will have an adverse effect on public facilities and services; however, C-2 zoning allows more intense uses than C-1 zoning which could adversely impact public facilities and services.

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

The eastern parcel has cross access with the adjacent C-2 parcel to the east and the potential for future access with the adjacent parcels to the south which is designated Commercial Neighborhood in the Enterprise Land Use Plan in conformance with Urban Specific Policy 7 of the Comprehensive Master Plan which states land uses that are complementary and are of similar scale and intensity should provide appropriate connectivity and not be segregated. The connectivity also meets the intent of the district which is for sites which are typically 10 acres or more. Therefore, the request for the eastern parcel complies with the purpose of the C-2 zone, General Commercial District, which is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community, yet be buffered from having adverse impacts on any adjacent residential neighborhoods.

The western parcel is only 1 acre with no connectivity to the commercial development proposed on the eastern side of Schuster Street and surrounded by residential development to the west and south; therefore, this portion of the request conflicts with the purpose of the C-2 zone, General Commercial District as described above and 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.

#### **Summary Zone Change**

Based on the criteria listed above, staff finds that the applicant has satisfied the requirements for a compelling justification to warrant approval of the application for the eastern parcel (APN: 177-30-503-007). The density and intensity proposed by this request will result in a land use that is compatible with the existing and approved development to the east. Therefore, this project satisfies Urban Specific Policy 7 of the Comprehensive Master Plan, which encourages, in part, that new developments should be complementary and similar in scale and intensity to the surrounding land uses; therefore, staff finds that the proposed zoning is compatible with the existing, approved, and planned development in the area.

Based on the analysis above, staff finds that the applicant has not demonstrated a change in law, policies, trends, or facts to justify reclassifying the western parcel (APN: 177-30-503-009) to a

C-2 zoning district. The intensity of this portion of the project is not compatible with the existing, proposed, or approved development in the area and does not comply with other applicable plans, goals, and policies; therefore, staff finds that the applicant has not provided a compelling justification to warrant reclassification of the site to a C-2 zone.

#### Use Permit

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

Staff finds the reduced separation is reasonable since the nearest residential property is the adjacent parcel to the south which is designated Commercial Neighborhood in the land use plan and the other residential uses in the area are on the west side of Schuster Street. Furthermore, the retail building is located between the tavern and the residential uses and the plans show landscaping which exceeds Code requirements along the southern and western boundaries of the site which will mitigate any negative impacts from the use on this site.

#### 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 #1a

The design of the buildings with the varying heights and pop-outs complies with Urban Specific Policy 78 of the Comprehensive Master Plan which encourages commercial developments to use enhanced architecture. The landscaping around the perimeter of the site meets or exceeds Code requirements and conforms to Urban Specific Policy 62 which encourages intense buffering and design features on the perimeter adjacent to single family uses. Cross access has been provided with the adjacent parcel to the east in conformance with Urban Specific Policy 65 which encourages cross access with adjoining commercial sites. However, the access provided with this request is not in alignment with the cross access shown on the plans approved for the adjacent parcel to the east; therefore, staff can support this request for the eastern parcel with a condition requiring cross access to match the cross access on the adjacent parcel to the east.

#### Design Review #1b

Approval of the design review for the western parcel is contingent upon approval of the zone change which staff cannot support; therefore, staff cannot support this portion of the request.

#### Design Review #2

The diamond-shaped landscape planters are 7 feet by 7 feet and the parking spaces are 10 feet wide and 19 feet long and the applicant has provided landscape buffers around the entire

perimeter of the property that meet or exceed Title 30 standards; therefore, staff can support this portion of the request.

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

#### Waiver of Development Standards

Staff cannot support the reduction of the departure or the approach distances along Schuster Street. Staff has concerns with the traffic coming off of Silverado Ranch Boulevard as well as the residential traffic to the south being in conflict with movements from both of the commercial driveways on Schuster Street.

### **Staff Recommendation**

Approval of the zone change for the eastern parcel (APN: 177-30-503-007), use permit, design reviews #1a and #2; denial of the zone change and design review #1b for the western parcel (APN: 177-30-503-009), and the waiver of development standards. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 8, 2020 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- Cross access to match the alignment for the cross access on the adjacent parcel to the east;
- Intense landscaping per Figure 30.64-12 along the southern and western property lines of the western parcel (APN: 177-30-503-009);
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

#### **Building Department - Fire Prevention**

- Applicant is advised that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.



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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0628-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

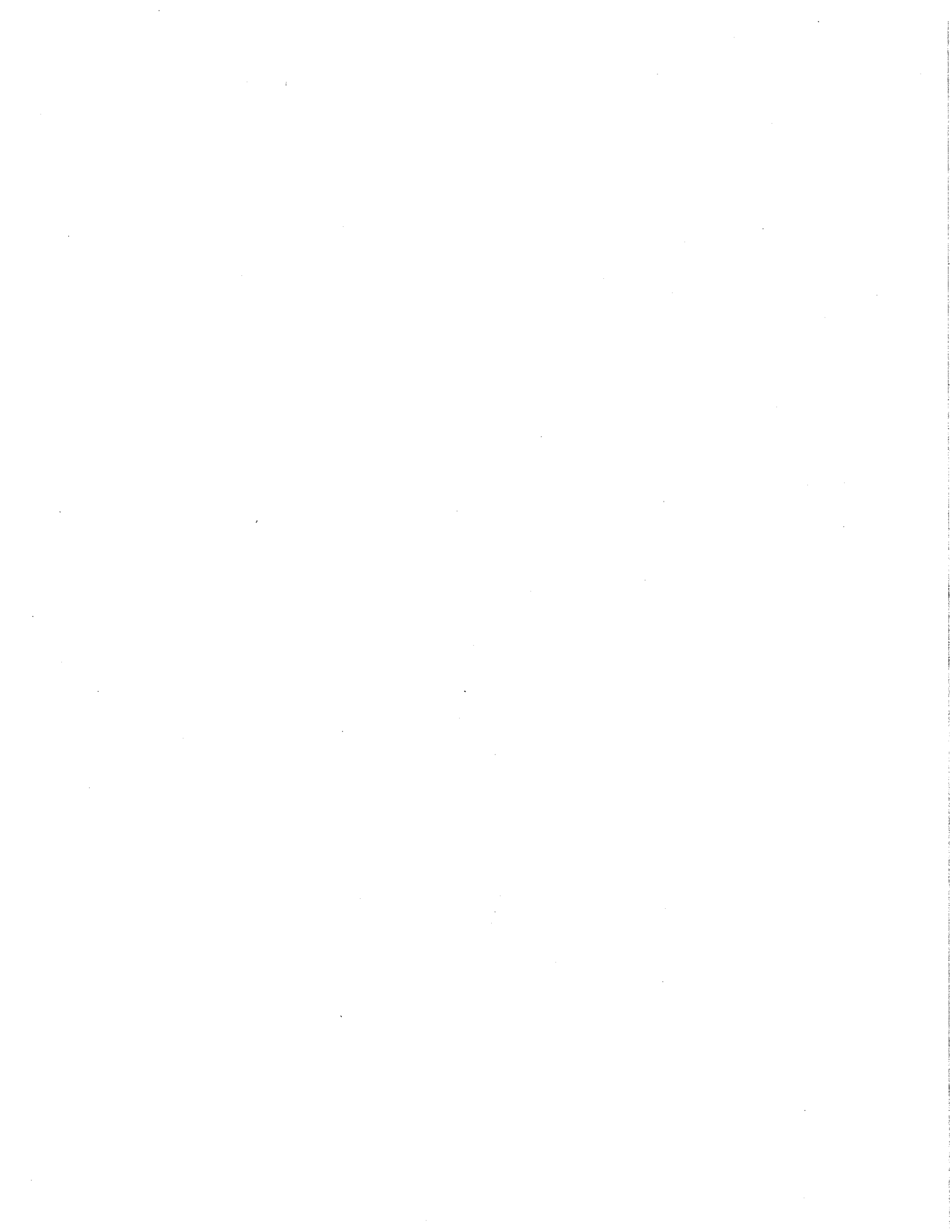
**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TESORI, LLC

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

DRAFT





# LAND USE APPLICATION 5A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)

STAFF

DATE FILED: 1/10/20 APP. NUMBER: NCC 20-0030  
 PLANNER ASSIGNED: AM TAB/CAC: Enterprise  
 ACCEPTED BY: \_\_\_\_\_ TAB/CAC MTG DATE: 2/12 TIME: 6:00  
 FEE: \$3,200.00 PC MEETING DATE: 3/3/20  
 CHECK #: Billed BCC MEETING DATE: 4/8/20  
 COMMISSIONER: JJ ZONE / AE / RNP: AE/RB2/ND  
 OVERLAY(S)? NA PLANNED LAND USE: RS & CN  
 PUBLIC HEARING?  N NOTIFICATION RADIUS: 150 SIGN?  N  
 TRAILS?  Y  N PFNA?  Y  N LETTER DUE DATE: \_\_\_\_\_  
 APPROVAL/DENIAL BY: \_\_\_\_\_ COMMENCE/COMPLETE: \_\_\_\_\_

PROPERTY OWNER

NAME: Tesori, LLC  
 ADDRESS: P O Box 41116 RPO  
 CITY: Mississauga ON L4W 5-5C9 STATE: Canada ZIP: n/a  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a

APPLICANT

NAME: Tesori, LLC  
 ADDRESS: P O Box 4116 RPO  
 CITY: Mississauga ON L4W 5-5C9 STATE: Canada ZIP: n/a  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Stephanie Allen - Kaempfer Crowell  
 ADDRESS: 1980 Festival Plaza Dr. # 650  
 CITY: Las Vegas STATE: NV ZIP: 89135  
 TELEPHONE: 702-792-7000 CELL: 000-000-0000  
 E-MAIL: sha@kcnvlaw.com REF CONTACT ID #: 169304

ASSESSOR'S PARCEL NUMBER(S): 177-30-503-007 and 009

PROPERTY ADDRESS and/or GROSS STREETS: Silverado Ranch and Arville

PROJECT DESCRIPTION: Non-conforming zone change for a commercial retail center

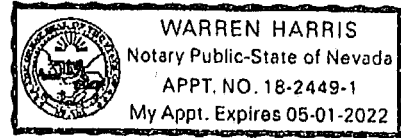
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)\* [Signature] Property Owner (Print) Rambo Shyy

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 9, 2020 (DATE)  
 By Rambo Shyy

NOTARY PUBLIC: [Signature]



CE

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

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

STEPHANIE HARDIE ALLEN

[sallen@kcrcvllaw.com](mailto:sallen@kcrcvllaw.com)  
702.792.7045

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Tel: 775.852.3900  
Fax: 775.327.2011

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

January 10, 2020

N20-20-0030

**Via Hand Delivery**

Clark County Department of Comprehensive Planning  
500 S. Grand Central Pkwy., 1st Floor  
Las Vegas, NV 89106

***Re: Justification Letter and Project Description for Nonconforming  
Zone Change near Silverado Ranch Boulevard and Valley View  
(APN 177-30-503-007 & 009)***

To Whom It May Concern:

This firm represents the property owner and applicant in the above referenced matter. The proposed project is located on approximately 3.2 acres near the southwest corner of Silverado Ranch Boulevard and Valley View (the "Property"). The Property is more particularly described as Assessor's Parcel Number 177-30-503-007 and 009. The Property is master planned Commercial Neighborhood and Residential Suburban. The Applicant is requesting a non-conforming zone change to C-2 on the Property, a special use permit to reduce the separation between a residential use and on-premises consumption of alcohol, a waiver for departure distance requirements and a design review for the commercial center.

**1. Non-Conforming Zone Change to C-2**

According to the Enterprise Land Use Plan, C-2 commercial zoning allows medium to high intensity retail and commercial uses which are appropriate near major intersections such as Silverado Ranch and Valley View. One of the primary land use goals in Clark County is to provide a mix of uses including commercial within close proximity of each other. This area at Silverado Ranch Boulevard and Valley View has seen significant growth over the last few years with the interchange at Silverado Ranch and I-15 providing increased vehicular traffic both east and west and hundreds of homes being constructed in the area. With the changes in the area, commercial services are needed to serve the surrounding community. The proposed site plan will provide approximately 21,500 square feet of retail space and a 5,000 square foot tavern operation fronting on Silverado Ranch Boulevard.

CIVIL  
ENGINEERING

This request satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

- 1. A change in law, policies, trends, or facts after the adoption 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 last amended on October 23, 2014. It is the applicant's belief that significant changes have occurred in the area with increased traffic from I-15 both west and east and with the construction of hundreds of homes in the surrounding area. Commercial services are needed to serve the rooftops in the area. Moreover, the requested change is consistent with the original intent of the Land Use Plan, which contemplated Commercial Neighborhood zoning. The requested C-2 zoning will provide some additional flexibility on the uses allowed on the Property and specifically will allow the potential for a tavern operator on the Property.

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

Most of the Property is already planned for Commercial Neighborhood. The request for C-2 zoning will allow additional opportunity for uses, specially a tavern on the Property. The property adjacent to the east has requested similar zoning and the property across Valley View to the east is planned for Commercial General, so the request is consistent with the surrounding properties on the south side of Silverado Ranch Boulevard. Additionally, the site plan has been designed such that the residential to the south is buffered with a decorative block wall, landscaping and a 26 foot tall retail building.

- 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 storm water and drainage facilities, as a result of the uses allowed by the nonconforming zone change:**

The proposed zone change will not negatively impact the surrounding infrastructure in the area. This Property is located along Silverado Ranch Boulevard near Valley View, both of which are designed to handle high volumes of traffic. Most of the Property is already planned for Commercial Neighborhood and just across Valley View is planned for Commercial General, so the area is currently planned for commercial uses. Of course, the Applicant will mitigate any impacts that the proposed development may have on the area by preparing the necessary technical studies and complying with any measures deemed necessary to address drainage, traffic or other areas of concern.

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

The Enterprise Township is one of the fastest growing Planning Areas in Clark County. The Enterprise Land Use Plan indicates that between 2000 and 2014, the population grew 704% and it has continued to grow exponentially over the last 5 years. The rooftops require nearby commercial services. Pursuant to the general goals and policies of the new Urban Land Use Policies, Goal 1 encourages "a comprehensive land use plan to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services and facilities." The proposed commercial development will create construction jobs and permanent jobs for tenant employees. It will promote economic viability by providing convenient and much-needed services to people in the surrounding area.

Goal 2 encourages "opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multi family residential and other activities within close proximity to each other." Here, the property is within close proximity to various types of uses, including other commercial developments, homes and even a nearby neighborhood casino. This will allow property owners nearby a variety of uses within a few miles.

Goal 9 encourages "commercial development integrated in appropriate locations throughout the community." Here, the proposed development is located near existing commercial shopping centers and residential communities. This will allow for a reduction in travel for customers due to its close proximity.

Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Here, the Property is located on Silverado Ranch Boulevard near Valley View, allowing ideal circulation for commercial retail services. It is located near public facilities and mass transit stops necessary to support additional customers.

Not only is the proposed development compatible with the general Land Use Policies, but it is also compatible with the more specific Commercial policies, including, but not limited to the following policies:

- Policies 59, 60 and 62 encourage that when commercial development is adjacent to residential that noise, lighting and signage be considerate of the existing residential and that buffers are provided such as block walls and landscaping. The Property has been designed with the retail building adjacent to the southern property line to buffer the residential to south from noise, lighting and signage. Also, a block wall and landscaping will be provided along the property line. The building height is limited to 26 feet in height which is lower than many residential homes as well.
- Policy 65 encourages opportunities for cross access with adjoining sites. While the Property to the south is developed as residential today, most of it is master planned for commercial development, so the Property has been designed to allow for future cross access to the south and to the east.

- Policy 67 encourages site planning and building design to ensure commercial developments are compatible with abutting uses. Here, the abutting properties include future commercial uses.
- Policy 73 encourages perimeter and interior parking lot trees for shade and visual relief, while maintaining view corridors to storefront areas. Here, the landscape plan shows trees throughout the parking lot, both interior and along the perimeter, to provide both shade and visual relief within the parking lot.
- Policy 79 encourages commercial developments to use visually articulated elements, including, but not limited to towers, domes, decorative fascias or parapets, pilasters or columns, arcades or colonades, decorative details, etc. Here, the elevations show large, decorative windows, a modern design with flat roofs and various architectural elements, including columns, pop-outs, parapets, and metal details. The colors are neutral sand colors to blend with the surrounding landscape.

The proposed plan meets the goals and polices set forth in the Land Use Plan.

## **2. Special Use Permit To Allow On-Premise Consumption of Alcohol**

The proposed tavern on the Property is located approximately 170 feet from the property line of the existing residential to the south. The property to the south is master planned for commercial, and although it is currently used for residential, and the property owners explained at a neighborhood meeting that they plan to develop or sell the land for commercial. A landscape buffer, block wall and the retail building will buffer the residential to the south. At a future date, if the property to the south is developed as commercial, there is space for cross-access.

A tavern in the area will provide food and drinks for residents who currently have limited services. The use will not have a negative impact on the area as it fronts onto Silverado Ranch Boulevard, a highly traveled roadway, and sits on the corner of Silverado Ranch Boulevard Schuster Street. Additionally, there are planned commercial uses immediately to the east of the Property along Valley View.

## **3. Design Reviews**

The Property has been designed to be compatible with the surrounding area. There are 3 retail buildings ranging in size from 2,500 square feet to 12, 500 square feet for a total of 21,500 square feet and a 5,000 square foot tavern at the corner of Silverado Ranch Boulevard and Schuster Street. There is convenient access off Silverado Ranch Boulevard and off Schuster Street. The maximum height of the tavern building is 30 feet in height and the retail building is 26 feet in height. The design is contemporary with flat roofs, neutral colors, large windows and visual interest. The retail building will allow multiple neighborhood commercial uses to serve

the surrounding area and the tavern is conveniently located on Silverado Ranch Boulevard for patrons to easily see and visit. The overall commercial center will be an amenity for the area and has been designed to be consistent and compatible with the surrounding planned and existing uses.

We are also requesting a waiver of development standards to reduce the departure distance along Schuster Street to 92 feet where 190 feet is required and reduce the approach distance to 104 feet where 150 feet is required. The parcel is not long enough to accommodate the required distances.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me at (702) 792-7045.

Sincerely,

KAEMPFER CROWELL



Stephanie H. Allen



03/03/20 PC AGENDA SHEET

MULTI-FAMILY RESIDENTIAL  
(TITLE 30)

ENSWORTH ST/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0022-FORD PARTNERSHIP, LLC:**

**USE PERMIT** to allow a multiple family residential development.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the allowed building height; 2) reduce setbacks; 3) eliminate landscaping adjacent to a freeway; 4) driveway geo-metrics; and 5) non-standard improvements (landscaping in right-of-way).

**DESIGN REVIEW** for a proposed multiple family residential development on 4.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Ford Avenue and east and west sides of Ensworth Street within Enterprise. MN/sd/jd (For possible action)

RELATED INFORMATION:

**APN:**

177-17-701-011 through 177-17-701-013

**USE PERMIT:**

Allow a multiple family residential development in an H-1 zone.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the maximum building height to 74 feet where a maximum height of 50 feet is allowed per Table 30.40-3 (a 38% increase).
2.
  - a. Reduce the interior street setbacks for Ensworth Street to 10 feet where 20 feet is required per Table 30.40-3 (a 50% reduction).
  - b. Reduce the rear setback to 3 feet where 20 feet is required per Table 30.40-3 (an 85% reduction).
3. Eliminate required landscaping area adjacent to a freeway where required per Figure 30.64-4.
4.
  - a. Reduce throat depth for a driveway to 12 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 91% reduction).
  - b. Reduce driveway width to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
5. Permit non-standard improvements (building, structures, and landscaping) within a future right-of-way (Ensworth Street) per Section 30.52.050.

**DESIGN REVIEW:**

For a proposed 150 unit multiple family residential development on 4.0 acres.

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

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

- Site Address: N/A
- Site Acreage: 4.0
- Number of Lots/Units: 150
- Density (du/ac): 40
- Project Type: Multiple family residential development
- Number of Stories: 5
- Building Height (feet): 74
- Square Feet: 282,858
- Open Space Required/Provided (square feet): 15,000/16,727
- Parking Required/Provided: 249/259

**Site Plans**

Currently, the parcels are undeveloped and are located within an H-1 (Limited Resort and Apartment) zone. The plans submitted depict a proposed 150 unit multiple family residential development with a detached parking garage. Total acreage is approximately 4.0 acres and will incorporate all 3 parcels identified in the site plan. The detached garage will be located on the western parcel adjacent to the freeway separated by Ensworth Street and will accommodate up to 201 cars.

Access to the development will include a driveway ingress/egress off of Ensworth Street to the garage and will include an established fire lane access from both Ford Avenue and Ensworth Street. Loading zones are located on Ensworth Street. Pedestrian access is shown on Ensworth Street. Detached sidewalks are shown on the plans on the east side of Ensworth Street and Ford Avenue with attached sidewalks along the west side of Ensworth Street. All setbacks are being met, with the exception of the interior street setbacks for Ensworth Street.

The residential development includes 150 units with 90, one bedroom units, 55, two bedroom units, and 5, three bedroom units. An internal courtyard for the overall development is shown on the plans. Some of the amenities that are provided with the development are a courtyard pool with fire pits, cabanas, bbq and lounge spaces, 3,000 square foot gym facility, roof top view deck facing the "Strip", outdoor basketball court, and theater space.

**Landscaping**

The plans depict a 12 foot wide landscape area 249 linear feet along the western portion of Ensworth Street with 11 medium/large trees and shrubs with 50 percent groundcover. The eastern portion of Ensworth Street depicts a landscaped area 8 feet wide behind the back of the

detached sidewalk, and in areas between loading zones that are also 8 feet wide with 10 medium/large trees and shrubs with 50 percent groundcover. A landscape area of 259 linear feet is shown along Ford Avenue located behind the sidewalk that will be 15 feet wide and will include 9 medium/large trees planted 30 feet on center with shrubs and 50 percent groundcover. Landscape areas are shown internal along the drive aisle and along the eastern property line and northern property line with trees planted 30 feet off center with shrubs and groundcover. In addition, landscaping of 20 feet wide and 135 linear feet is shown on the northern property line of the detached garage with 7 medium/large trees planted 20 feet on-center with shrubs and groundcover and 8 foot to 10 foot wide with 7 medium/large trees planted 20 feet off center with shrubs and groundcover.

#### Elevations

The plans depict a proposed 150 unit multiple family residential development 74 feet in height to top of parapet wall with 5 residential levels and a 3 story detached garage 38 feet in height. The residential portion of the development will be constructed of cement plaster with various color finishes, storefront glazing windows with clear finish, and architectural enhancements.

#### Floor Plans

The plans show units 90, one bedroom units, 55, two bedroom units, and 5, three bedroom units. Each have bedrooms, kitchen, and living room, with internal hallways within the residential building. Common areas include game rooms, party rooms, gym at various levels of the building, and a courtyard with outdoor pool, lounge, and associated amenities.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that the goal of this project is to create a well-designed apartment complex with numerous high end amenities targeted towards a younger demographic. The request required multiple waivers for height, setbacks, landscaping, and driveway geometric modifications along with a special use permit.

The waivers of development standards requested are in part due to meeting desired unit count. The increase in building height is needed to allow for a 5<sup>th</sup> floor and to hit a target number of units. Adjacent properties to the north and south are multiple family developments and with the proposed building setback from the northern and eastern property lines at least 45 feet will have minimal impact to those uses.

The reduction in setbacks along the western property line for the detached garage and the elimination of the requisite freeway landscaping is a result of there being an approximately 6 foot to 8 foot high berm with an 18 foot to 20 foot high concrete sound wall; therefore, a landscape buffer will be unnecessary. The encroachment of 17 feet and the elimination of landscaping in this area will not be visible from the freeway and do not feel the need to provide a buffer for a parking garage. In addition the proposed garage setback encroachment on the western portion of Ensworth Street to 10 feet where 20 feet is required to make use of the split parcel and meeting all requisite setbacks will make the parking structure unviable. The proposed

encroachment along the eastern portion of Ensworth Street is to allow for 2 loading zones within the 10 foot right-of-way and to maintain speeds of vehicular traffic.

Lastly, the applicant has stated the modified driveway geometrics, including the reduction in throat depth at the entrance of the parking garage off of Ensworth Street, will have minimal impact to vehicular traffic as residents can pull in and continue into the garage without pause, thus eliminating traffic stacking.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0813-05	Vacate and abandon 33 foot wide government patent easements - expired	Approved by PC	July 2005
TM-0302-05	Residential 72 condominium units - expired	Approved by PC	July 2005
ZC-0507-05	Zone change for 3.7 acres from R-E and H-2 zone to H-1 Zoning with use permit for residential condominiums, live-work home units, commercial uses and increase building height, waived setbacks, driveway widths, enclosed trash area, on-site parking and parking in right-of-way, with a design review for residential condominium	Approved by BCC	May 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	H-1	Undeveloped/
East	Commercial Tourist	H-1	Undeveloped
South	Business and Design/Research Park	H-1	Condominium development
West	Business and Design/Research Park & I-15	H-2	Wholesale/nursery

**Related Applications**

Application Number	Request
VS-20-0023	A vacation and abandonment of government patent 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**

#### Use Permit

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

Multiple family residential developments require the approval of a use permit in the H-1 zone in order to establish that the project is appropriate for the location. The existing multiple family development to the east has been approved for 368 condominium units on 19 acres, which was developed at a lower density rate of approximately 17.5 units per acre. The proposed multi-family development application for this project has a density of approximately 37 units per acre and is proposed to be built upon approximately 4 acres.

Much of the existing adjacent development of residential uses, including the multiple family residential use to the east, has been developed with lower densities on a larger sized parcel and was sectioned into 8 units per building sections. The proposed bulk (one long building along street frontage) and density of the proposed development is not consistent with adjacent land uses, and is not appropriate for this location.

In addition, the plans show residents having to cross Linsworth Street, which is a collector street by the County's Transportation Element of the Comprehensive Master Plan and could present a safety hazard to those residents when crossing the street to the residential building from the garage located on a separate parcel.

Staff finds that the use permit request for this multiple family residential development is not appropriate for the area; therefore, staff does not support this request.

#### Waiver of Development Standards

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

#### Waiver of Development Standards #1:

The proposed height increase to 74 feet where 50 feet is allowed does not represent a minimal request and will have an adverse impact to the area. The existing multiple family development to the east is 2-stories with a maximum height of 35 feet. The increase in height is not consistent with the existing development within the immediate area for multiple family residential uses with regards to scale and bulk. The tallest approved building in the immediate area is 40 feet, which is less than the 50 feet allowed for this project. This proposed request does not conform to Urban Land Use Policy 10 of the Comprehensive Master Plan, which encourages site designs to be compatible with adjacent land uses; therefore, staff does not support this request.

Waiver of Development Standards #2:

The reduction in the interior street setback to 10 feet where 20 feet is required and a reduction to the rear setback of 3 feet where 20 feet is required is not in harmony with Type 30 and the immediate area. Setbacks help preserve the appeal and integrity of a neighborhood as well as moderate adverse visual impacts associated with development. In addition, the site does not have unique circumstances or topographical features to justify both the interior street setback reduction and the rear yard setback for the garage. These requests are a self-imposed hardship; therefore, staff does not support these requests.

Waiver of Development Standards #3:

The intent of freeway (street) landscaping is to enhance the perimeter of the site. There does not appear to be any easements in this location that would prevent installation of street landscaping of any sort. Urban Specific Policy 97 of the Comprehensive Master Plan encourages landscaping adjacent to public rights-of-way on the perimeter of developments to improve visual quality; therefore, staff recommends denial.

Design Review

Staff believes the buildings and overall project are not in harmony with the planned and approved land uses with regard to scale and bulk. In addition, the design review is contingent upon approval of the use permit and associated waivers, which staff does not support. Staff is concerned with the amount of waivers being requested as they relate to this project; therefore, staff does not support the design review as proposed.

**Public Works - Development Review**

Waiver of Development Standards #4a

Staff finds the reduced throat depth for the garage driveway on the west side of Ensworth Street will create traffic hazards. In this area, Ensworth Street only exists from Wigwam Avenue on the north to a cul-de-sac approximately 500 feet south of Ford Avenue. Although Ensworth Street does not currently see much vehicular traffic, it is designated to be a frontage road from the 215 Beltway south to St. Rose Parkway, and once the frontage road is complete traffic volumes will increase substantially. With only 12 feet of driveway throat, the potential of vehicles stacking into the street is likely and creates a dangerous situation. Therefore, staff cannot support this request.

Waiver of Development Standards #4b

Staff has no objection to the reduced driveway width for the driveway on Ford Avenue and the driveway on the east side of Ensworth Street as the driveways will only be used for trash collection and emergency access.

Waiver of Development Standards #5

Staff can support the non-standard improvements within Ensworth Street since the street is not being developed to the full width at this time.

### **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 of waivers of development standards #4b and #5; denial of use permit, waivers of development standards #1, #2, #3, and #4a, and the design review.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- 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 25.5 feet to the back of sidewalk on the west side of Ensworth Street with a 4.5 foot roadway easement, 20.5 feet to back of curb on the east side of Ensworth Street with a 9.5 foot roadway easement and a 5 foot pedestrian access easement, all other necessary easements, and associated spandrels;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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 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 initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0030-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FORD PARTNERSHIP LLC

**CONTACT:** RAD STUDIO LLC, 197 E. CALIFORNIA STREET SUITE 300, LAS VEGAS, NV 89104

DRAFT





# LAND USE APPLICATION 6A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>1/9/20</u> PLANNER ASSIGNED: <u>swD</u> ACCEPTED BY: <u>swD</u> FEE: <u>1,825</u> CHECK #: <u>0.124</u> COMMISSIONER: <u>W-N</u> OVERLAY(S)? <u>---</u> PUBLIC HEARING? (Y/N) <u>Y</u> TRAILS? Y/(N) <u>(N)</u> PFNA? Y/(N) <u>(N)</u> APPROVAL/DENIAL BY: _____
	<b>PROPERTY OWNER</b>	APP. NUMBER: <u>CC-20-0022</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>2/12</u> TIME: <u>6pm</u> PC MEETING DATE: <u>3/3/20</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>C-T</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y / N _____ LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>APPLICANT</b>	NAME: <u>Ford Partnership LLC - Brock Metzka</u> ADDRESS: <u>197 E. California St. Suite #300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702.665.6989</u> CELL: _____ E-MAIL: <u>bmetzka@yahoo.com</u>
	<b>CORRESPONDENT</b>	NAME: <u>Ryan Allord</u> ADDRESS: <u>197 E. California St. Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702.340.6180</u> CELL: _____ E-MAIL: <u>Ryan@RADstudiolv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-17-701-011, -012, -013  
 PROPERTY ADDRESS and/or CROSS STREETS: Ensworth St / W. Ford Avenue  
 PROJECT DESCRIPTION: 150 unit multifamily apartment building with 2 story detached garage structure

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

Brock Metzka \_\_\_\_\_  
 Property Owner (Signature)\*  
Brock Metzka  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON November 19, 2019 (DATE)  
 By Brock Metzka

NOTARY PUBLIC: Sierra Heckman



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

December 30, 2019



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

UC-20-0022

**Re:** Justification Letter  
Application for Use Permit and Design Review with request for Waivers of Development Standards / & Vacation application  
Parcel # 177-17-701-011, -012, -013  
Address: Ensworth St & West Ford Avenue

To Whom it May Concern:

On behalf of the applicant, we respectfully request your review and approval of this application for a 5 story, 150 unit, 182,000 s.f. apartment building with a 3 story 110,000 s.f. parking garage located on parcels listed above which are currently zoned H-1 (Limited resort and Apartment district) with a CT (commercial tourist) planned land use. Total acreage for the 3 parcels is 3.75 total acres with a vacation & abandonment requirement for a designated right of way with the continuation of Ensworth south to W Ford and W Ford from centerline of street, east to west of the southern property line. This vacation of Ensworth essentially divides the proposed development in two, separating the garage component from the apartment component. This we feel creates an undue hardship as the land was acquired with the understanding that County Public Works was going to abandon Ensworth for a new 60' right of way easement to the western edge of parcel which abuts interstate 15. This was to be designated by the county as a new future frontage road. Due to a county reversal we were left to develop the property with Ensworth dividing the proposed project. We are proposing a skybridge to connect the two components and have had discussion with Erik Denman in PW in regards to this as well as an encroachment into the ROW with the formation of an L & M agreement. These emails are attached to this justification letter and represented on the submitted plans.

Under Title 30 Table 30.40-7 a residential use within an H-1 district is a special use permit request and the project must conform to the R-5 development standards on table 30.40-3.

The goals of this project are to create a well-designed apartment rental product with numerous high-end amenities targeted toward a younger demographic. The product closely aligns with other adjacent developments, specifically Loft5 and recently completed Kaktus Life apartments. All of which, our proposal included, are a loft type product where residents access units from a central corridor versus the more common exterior access apartment product type. This design approach is similar to more dense urban environments and we feel creates a more luxurious aesthetic that resembles a resort/hospitality property. Some of the amenities that are provided are a luxurious courtyard pool, with fire pits, cabanas, bbq and lounge spaces, 3,000 s.f. gym facility, residence party room, roof top view deck facing the strip, outdoor basketball court and interior lounge and theater space.

The waivers to development standards that we are requesting are in some part due to the aforementioned hardship and other requests are needed to hit target unit counts to make the project financially viable.

**RADstudio LLC**  
197 E. California St Suite 300  
Las Vegas, NV 89104  
e: [Ryan@RADstudiolv.com](mailto:Ryan@RADstudiolv.com)  
p: 702.340.6180

- 1) Building Height per R-5 standards allow for 50' where we are requesting 74'. This would be needed to allow for the 5<sup>th</sup> story and hit target unit counts.  
Justification: adjacent properties to the north and south are apartment complexes where carports or parking stalls abut the shared property lines, so setback of all surrounding buildings exceed zoning minimums. The increase we feel is minimal and will not have an adverse effect on these adjacent properties. Similarly our setbacks at these locations are well beyond the requirement for R-5 creating a significant buffer between properties. Lastly under Title 30 Table 30.40-7 a typical H-1 zoned property is allowed 100' in height for a resort use property so it is possible that the property could have been developed in a height greater than we are proposing
- 2) Setbacks for garage / Freeway buffer and Front Setback. Figure 30.64-4 Freeway buffer and setback requirements per R-5 rear setback requirements (table 30.40-3) requires 20' with landscape freeway buffer. We request to have the rear setback reduced to 3' and remove the requirement for the landscape buffer. Currently between the proposed setback and the freeway there is an approximate 6-8' high berm which raises up to an assumed 18-20' concrete sound wall. (see attached photos) We feel a landscape buffer would be unnecessary as it would not be visible from the freeway, nor do we feel there is need to provide a buffer for a parking garage to a freeway. The reduction in rear setback also aligns with the structures use as a parking garage, where we feel the proximity to the freeway is appropriate for the utilitarian function. Similarly the front setback where 20' is required we are proposing 10'. In order to make this project viable and the split parcel usable this parking structure is critical and with front and rear setback requirements it would not be possible. PW is requesting of our property only a 30' dedication from centerline of Ensworth, this exceeds dedications on parcels to the north and south of our property (20' and 25' dedications). If we were held to the same dedication standard, we would be meeting the front 20' setback requirement, so we would appreciate the reduction be permitted. Because the street section is only 20' not 30' we have 20' of separation from back of curb to garage, so we will have sufficient space for landscaping and an attached sidewalk.
- 3) Encroachment of Ensworth Street ROW of 10' on the east side of the street. In discussions with Public Works (emails attached) regarding the frontage road easement and reversal to maintain the Ensworth right of way. We requested the encroachment for 2 reasons, one is an effort to reduce the speeds of vehicular traffic so residents can more safely cross the street for building access and two to provide loading zones within this 10' for easier accessibility of moving trucks and also to allow for quicker drop off/pick up access to residents where crossing the street with items such as groceries could be an encumbrance. In discussions with PW they found this to be acceptable given an L&M agreement would be in place.
- 4) Per CCAUSD 222.1, throat depth requirement. At the garage per aforementioned table a parking structure of over 201 vehicles requires a throat depth of 150' minimum. Given the shallow depth of the lot this would not be attainable. Our justification for the removal of this requirement is we would not be providing restricted access into the garage. So no mechanical gates, closers or obstructions. Vehicles can pull in and continue into the garage without pause. So we don't believe there will be any backlog of vehicles entering the parking structure to halt traffic on Ensworth.



We feel this project will be a great contribution and variety to the existing adjacent surrounding apartment uses in the area and will provide a new and unique service to the community and we would appreciate the acceptance of our proposal.

Sincerely,

Ryan Allard, RA NCARB

**RADstudio LLC**  
197 E. California St Suite 300  
Las Vegas, NV 89104  
e: [Ryan@RADstudiolv.com](mailto:Ryan@RADstudiolv.com)  
p: 702.340.6180

03/03/20 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 30)

COUGAR AVE/PROCYON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0027-YARD BROCK:**

**USE PERMITS** for the following: **1)** increase the area of a proposed accessory structure (detached garage); and **2)** increase the size of all accessory structures with a proposed single family residence on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

Generally located on the north side of Cougar Avenue, approximately 300 feet east of Procyon Street within Enterprise. JJ/sd/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-17-302-007

**USE PERMITS:**

1. Increase the area of a proposed accessory structure (detached garage) to 6,120 square feet where a maximum area of 1,592 square feet (50% of the footprint of the principal structure) is permitted per Table 30.44-1 (a 284% increase).
2. Increase the cumulative area of all accessory structures to 6,120 square feet where a maximum 3,183 square feet is permitted per Table 30.44-1 (a 92% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3484 W. Cougar Avenue
- Site Acreage: 1.2
- Number of Lots/Units: 1
- Project Type: Accessory structure
- Number of Stories: 1
- Building Height (feet): 22 (accessory)/31 (proposed principal residence)
- Square Feet: 6,120 (accessory)/3,183 (proposed principal residence)

Site Plans

The plans depict an existing 1,210 square foot single family residence with a 6,120 square foot garage, which was built in 2016 (BD14-48060). The request is to convert the existing single family residence with garage into a 1,210 square foot accessory apartment with garage upon completion of a new principal residence that will be approximately 3,183 square feet. In addition, the cumulative area of all accessory structures exceed the proposed footprint of the principal residence. A 561 square foot carport is also shown on the plans connecting the proposed principal residence to the proposed accessory apartment. Access to the property is from Cougar Avenue. All buildings, existing and proposed meet required setbacks and building separation.

Landscaping

Landscaping is not proposed or required as a part of this application.

Elevations

The plans depict an existing residence with attached garage that is 22 feet in height with the residential portion 14 feet in height. The proposed principal residence is 2 story and will be up to 31 feet in height. The proposed principal residence and accessory structure with attached accessory apartment will be architecturally compatible. The elevations depict construction of cultured stone, sanded stucco finish, and vaulted roof lines with metal roof materials.

Floor Plans

The plans depict a proposed 2-story single family residence with 4 bedrooms, 2 car carport, master suite, great room, game room, and 3 bathrooms. The existing structure that will be converted to an accessory apartment depicts 1 bedroom, living room with kitchen, with an attached garage as an open floor plan with mezzanine.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they are proposing to construct a new single family residence and convert the existing structures into an accessory apartment and attached garage. The attached garage will exceed the maximum foot print of the proposed principal residence. The owners currently reside in the existing 1,210 square foot residence, which will be converted into an accessory apartment for guests once the new residence is completed. Plans have already been submitted to the building department for review and are on hold until conclusion of the use permit. The applicants state this will be an improvement to the immediate area and not constitute any special privilege.

Surrounding Land Use

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

## **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.

Staff believes the accessory structure (garage) exceeding one half the footprint of the proposed residence will not have significant impacts to the immediate area. The original building permit (BD14-48060) permitted the current principal residence of 1,210 square feet with an attached garage, which is not subject to approval of a use permit. The existing garage was originally constructed in conjunction with a single family residence. There are no size limitations when the garage has interior access to the residence; therefore, staff recommends approval.

#### **Department of Aviation**

The property lies within the AE 60 (60 - 65 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 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, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- No comment.

### **Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised 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.

### **Building Department - Fire Prevention**

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that the property appears to have an existing septic system; please contact the Southern Nevada Health District when modifying existing plumbing fixtures.

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

**APPLICANT: BROCK YARD  
CONTACT: GEMIE KNISELY, GK3 ARCHITECTURE, 2111 EDGEWOOD AVENUE,  
LAS VEGAS, NV 89102**





# LAND USE APPLICATION 7A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>1/9/20</u> PLANNER ASSIGNED: <u>SWD</u> ACCEPTED BY: <u>SWD</u> FEE: <u>675</u> CHECK #: <u>Debit</u> COMMISSIONER: <u>J-J</u> OVERLAY(S)? <u>RUP-I</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N PFNA? <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-20-0027</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DAT: <u>2/12 TIME 6pm</u> PC MEETING DATE: <u>3/3/20</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>Re / AF-60</u> PLANNED LAND USE: <u>RUP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input type="checkbox"/> Y / <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>Brock Yard</u> ADDRESS: <u>3348 West Cuyar</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-205-7023</u> CELL: _____ E-MAIL: <u>Brock@yardplumbinginc.com</u>	
	<b>APPLICANT</b>	NAME: <u>Brock Yard</u> ADDRESS: <u>3348 West Cuyar</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-205-7023</u> CELL: _____ E-MAIL: <u>Brock@yardplumbinginc.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>GK3 Architecture</u> ADDRESS: <u>2111 Edgewood Ave</u> CITY: <u>LV</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-932-0455</u> CELL: <u>702 250 9416</u> E-MAIL: <u>gemic@gk3architect.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-17-302-007  
 PROPERTY ADDRESS and/or CROSS STREETS: 3348 West Cuyar  
 PROJECT DESCRIPTION: addition

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

\_\_\_\_\_  
 Property Owner (Signature)\*

Brock Yard  
 Property Owner (Print)

CHRISTOPHER LEHTO  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 APPT. No. 19-2340-1  
 MY APPT EXPIRES MAR. 6, 2023

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 9<sup>th</sup> 2020 (DATE)  
 By Brock Yard

NOTARY PUBLIC: Christopher Lehto

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

2111 Edgewood Ave • Las Vegas, NV 89102  
Phone: 702 932 0455 Fax: 702 932 0456



ARCHITECTURE PLANNING INTERIOR DESIGN

January 8, 2020

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155  
Tel.: 455-4314  
Fax.: 455-3217

Re: Special Use Permit  
3484 W Cougar Ave  
Las Vegas, NV 89139  
APN: 177 17 302 007

#### Justification Statement

Ladies and Gentlemen:

GK<sup>3</sup> Architecture, on behalf of Brock Yard, is requesting the review and approval of a special use permit for a residential project. There is an existing 1,210 SF accessory apartment on the property with an attached 6,120 SF garage. We propose to build a separate two story main residence with 3,183 SF of livable space with an attached 561 SF carport. The owners reside in the accessory apartment and will be building the main residence upon approval of the special use permit. The plans for the main house are in for review at the building department. As designed the project is consistent with the objectives of Title 30 and will not negatively affect neighbors or impact any views.

This project will be an improvement to the area. The approval of the proposed design would not constitute a grant of any special privilege. The building would not allow a use or activity which is not permitted in the R-E Zone and would pose no adverse effect to public health, safety, or welfare.

Thank you for your consideration of these matters.

Sincerely,

Gemie M. Knisely, RA



ARCHITECTURE PLANNING INTERIOR DESIGN

USA 2111 Edgewood Ave.; Las Vegas, NV 89102 Tel. 702.932-0455 Fax 702.932.0456

EMAIL kevin@gk3architecture.com gemie@gk3architecture

03/03/20 PC AGENDA SHEET

HOOKAH LOUNGE  
(TITLE 30)

MARYLAND PKWY/SILVERADO RANCH BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0031-1263 SILVERADO, LLC:**

**USE PERMIT** for a hookah lounge within an existing shopping center (Silverado Ranch Place) on a portion of 3.1 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Maryland Parkway, South of Silverado Ranch Boulevard within Enterprise. MN/nr/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
177-26-112-015 ptn

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9890 S Maryland Parkway
- Site Acreage: 3.1 (portion)
- Project Type: Hookah lounge & cafe
- Number of Stories: 2
- Building Height (feet): 45
- Square Feet: 3,567
- Parking Required/Provided: 14/1,495 (entire site)

**Site Plans**

The plans depict an existing shopping center (Silverado Ranch Place) with access from Maryland Parkway and Silverado Ranch Boulevard. Parking for the site is located throughout the shopping center. No design changes are proposed or required with this request. The scope of the request is a hookah lounge within an existing tenant space in the southwest portion of the shopping center.

**Landscaping**

All landscaping is existing, with mature landscaping along the perimeter of the site and dispersed within the parking area. No new landscaping is proposed with this request.

Elevations

No changes are proposed for the existing building, which consists of a contemporary architectural style with painted stucco exterior in natural tones with stone veneer accents.

Floor Plans

The plans show a 3,567 square foot café and hookah lounge with a dining area, kitchen, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed hookah lounge within a café will be open from 11:00 a.m. to 10:00 p.m. daily. The applicant states that the proposed use will help to provide a sense of community to the area in a positive manner, with hospitality in a diverse and welcoming atmosphere, as well as helping to strengthen bonds within a community with friends, family, neighbors, and business owners.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0236	Recreation Facility	Approved by PC	May 2019
UC-0361-10	Outside dining	Approved by PC	September 2010
UC-0502-07	Check cashing	Approved by PC	June 2007
DR-1777-99	Shopping center	Approved by PC	December 1999
DR-1241-99	Shopping center	Approved by PC	September 1999
TM-0188-98	1 lot commercial subdivision	Approved by PC	August 1998
ZC-1059-97	Reclassified the site to C-Z zoning	Approved by BCC	October 1997

**Surrounding Land Use**

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

**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.

Land Use Goal 2 of the Comprehensive Master Plan encourages, in part, opportunities for a mix of uses such as commercial, office, recreational, entertainment, and other uses in close proximity to each other. The shopping center was designed and built to accommodate any added facility demands that the hookah lounge may generate, such as additional parking and pedestrian traffic. The proposed use adds to the existing mixture of uses within the center and complies with the Comprehensive Master Plan. As a result, 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TOUFIC DAKLALA

**CONTACT:** TOUFIC DAKLALA, 9890 MARYLAND PARKWAY, SUITE 1718,  
HENDERSON, NV 89183

DRAFT



# LAND USE APPLICATION 8A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
  - (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
  - (ORIGINAL APPLICATION #)

<b>STAFF</b>	DATE FILED: <u>1/13/20</u> PLANNER ASSIGNED: <u>NR</u> ACCEPTED BY: <u>NR</u> FEE: <u>\$675</u> CHECK #: <u>1001</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>MUD-4</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-20-0031</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>2/12</u> TIME: <u>6pm</u> PC MEETING DATE: <u>3/3/20</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>C6</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
<b>PROPERTY OWNER</b>	NAME: <u>1263 Silverado LLC</u> ADDRESS: <u>5 Ventana Canyon Dr Las Vegas NV 89113</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702 388 1800</u> CELL: _____ E-MAIL: _____	
<b>APPLICANT</b>	NAME: <u>SAJU LLC DBA LIRA CAFE</u> ADDRESS: <u>9890 S. MARYLAND PKWY</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702 829 3777</u> CELL: _____ E-MAIL: <u>SAJUNVEST@gmail.com</u> REF CONTACT ID #: _____	
<b>CORRESPONDENT</b>	NAME: <u>LIRA Cafe</u> ADDRESS: <u>9890 S. MARYLAND PARKWY suite 17/18</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702 829 3777</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: <u>198340</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-26-112-015

PROPERTY ADDRESS and/or CROSS STREETS: \_\_\_\_\_

PROJECT DESCRIPTION: Hookah Lounge

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

\_\_\_\_\_  
 Property Owner (Signature)\*

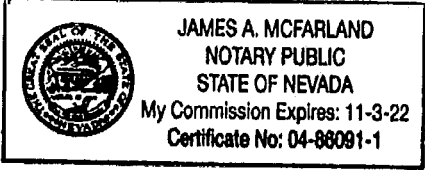
\_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1/13/20 (DATE)

By Toufic Daklala

NOTARY PUBLIC: James A. McFarland



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

**PLANNER  
COPY**

11C-20-0031

To: County Clerk Comprehensive Planning Department

Re: Letter of justification for approval

Company Information: Saju LLC DBA Lira Café  
Hours of operations 11am to 10pm daily  
Lease terms January 2020 62 months || Space 3567 sq. ft.

Whom it may concern:

I am writing this justification letter to obtain approval for hookahs' to be permitted within the premises of Lira cafe. The purpose of this request is to create a positive, diverse atmosphere within the community, such as neighbors, friends, and business owners.

**Culture diversity**

The best way to describe hookah is a water pipe with flavored tobacco that is passed around family and friends. Hookahs have been around for centuries and have been adopted within generations. Hookahs are deeply rooted amongst the Indian, Persians, Turkish and other Middle Eastern families.

**Social Activities**

Hookahs bring connectedness and are a way for families, relatives, friends, business associates, and these cultures in entertaining social activities while providing hospitality and strengthening bonds with one another.

**Increase revenue**

Not only do hookahs help entertain social activities, it can also increase revenue, help the business build authority, and employ individuals to create a diverse working environment.


**Conclusion**

Hookahs has migrated in every continent and it is an important that as immigrants of different countries share and continue their cultural traditions.

I am confident that we can bring the best of both worlds together and create a positive and welcoming atmosphere for the community.

Thank you

President Toufic Daklala





03/03/20 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

SHELBOURNE AVE/PLACID ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-20-0014-TOPETE FAMILY TRUST & TOPETE RAMON & LETICIA TRS.**

**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Camero Avenue, and between Placid Street and Fairfield Avenue within Enterprise (description on file). MN/tk/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-16-602-003

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The applicant is requesting to vacate and abandon the 33 foot wide patent easement that are located on the south and east sides of the subject parcel, and 3 foot wide patent easements that are located on the north and west sides of the subject parcel. The request is needed for the proposed subdivision and public access is provided by Placid Street and Shelbourne Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0932	Increased finished grade for a single family residential development	Pending Approval	02/18/20

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** VOPETE FAMILY TRUST

**CONTACT:** SONIA MACIAS, THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA STREET, #200, LAS VEGAS, NV 89119



# VACATION APPLICATION 9A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>	<b>STAFF</b>	DATE FILED: <u>1-7-2020</u>	APP. NUMBER: <u>VS-20-0014</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> LEASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____ ACCEPTED BY: <u>TUC</u> FEE: _____ CHECK #: _____ COMMISSIONER: <u>MN</u> OVERLAY(S)? _____ TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	TAB/CAC <u>ENTERPRISE</u> TAB/CAC DATE: <u>2/12</u> TIME: <u>6pm</u> PC MEETING DATE: <u>3/3</u> <u>7pm</u> BCC MTG DATE: _____ ZONE / AE / RNP: <u>R25</u> <u>R25P1</u> PLANNED LAND USE: <u>ENT</u> <u>R25P</u>

<b>PROPERTY OWNER</b>	NAME: <u>Ramon &amp; Leticia trustees of the Topete Family Trust</u> ADDRESS: <u>9920 Rancho Destino Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-210-8705</u> CELL: _____ E-MAIL: <u>tspaint@yahoo.com</u>
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<b>APPLICANT</b>	NAME: <u>Ramon &amp; Leticia trustees of the Topete Family Trust</u> ADDRESS: <u>9920 Rancho Destino Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-210-8705</u> CELL: _____ E-MAIL: <u>tspaint@yahoo.com</u> REF CONTACT ID #: <u>197150</u>
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-16-602-003

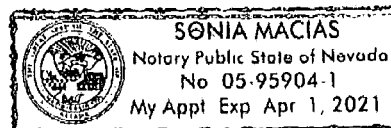
PROPERTY ADDRESS and/or CROSS STREETS: Shelbourne/Placid

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

José Ramon Topete  
 Property Owner (Signature)\*

José Ramon Topete  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON September 30, 2019 (DATE)  
 By José Ramon Topete  
 NOTARY PUBLIC: Sonia Macias



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

T THOMASON  
C CONSULTING  
E ENGINEERS

January 7, 2020

Clark County Current Planning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**Reference:** Vacation of Patent Easements  
Shelbourne/Placid  
APN #177-16-602-003

On behalf of Topete Family Trust and Ramon & Leticia Trustees, we respectfully request your consideration of the attached vacation of patent easements.

**Location:** The proposed project is located on approximately 2.07 acres located on the southeast corner of the intersection of Placid Street and Shelbourne Avenue.

**Justification:** We are requesting to vacate the existing patent easements as they are no longer needed with the proposed subdivision. The roadway easements are not necessary for the development of the subdivision. Public access to the project is provided by Placid Street and Shlebourne Avenue..

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

*Sonia Macias*

Sonia Macias  
Project Coordinator

7080 La Cienega Street #200  
Las Vegas, NV 89119  
Phone (702) 932-6125 • Fax (702) 932-6129  
Page 2 of 2

CIVIL  
ENGINEERING

03/03/20 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

ENSWORTH ST/FORD AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-20-0023-FORD PARTNERSHIP, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Parvin Street and I-15 and between Ford Avenue and Wigwam Avenue within Enterprise (description on file). MN/sd/jd (For possible action)

RELATED INFORMATION:

**APN:**  
177-17-701-011 through 177-17-701-013

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

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

The plans depict the vacation and abandonment of 33 foot wide government patent easements located on 3 separate parcels associated with the development of a multiple family residential development. The patent easements are as follows:

APN: 177-17-701-011: Vacate and abandon 33 foot wide government patent easements located on the north, west and south property lines of the subject parcel.

APN: 177-17-701-012: Vacate and abandon 33 foot wide government patent easements located on the north and east property lines of the subject parcel and 3 foot wide government patent easements along the west and south property lines of subject parcel.

APN: 177-17-701-013: Vacate and abandon 33 foot wide government patent easements located on the north, west and east property lines of the subject parcel.

The applicant states that these easements are no longer needed for future development of these parcels and approval of this application will allow for their development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0813-05	Vacate and abandon 33 foot wide government patent easements - expired	Approved by PC	July 2005
TM-0302-05	Residential 72 condominium unit - expired	Approved by PC	July 2005
ZC-0507-05	Reclassified 3.7 acres from R-E and H-2 zoning to H-1 zoning with a use permit for residential condominiums, live-work home units, commercial uses and increase building height; waived standards for setbacks, driveway widths, enclosed trash area, on-site parking and parking in right-of-way with a design review for residential condominium	Approved by BCC	May 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	H-1	Undeveloped/
East	Commercial Tourist	H-1	Undeveloped
South	Business and Design/Research Park	M-1	Condominium development
West	Business and Design/Research Park & I-15	H-2	Wholesale/nursery

**Related Applications**

Application Number	Request
UC-20-0022	Use permit and design review for multiple family residential in an H-1 zone with waivers for increase building height, reduced setbacks, eliminate freeway landscaping and modified driveway standards, 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.

**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**

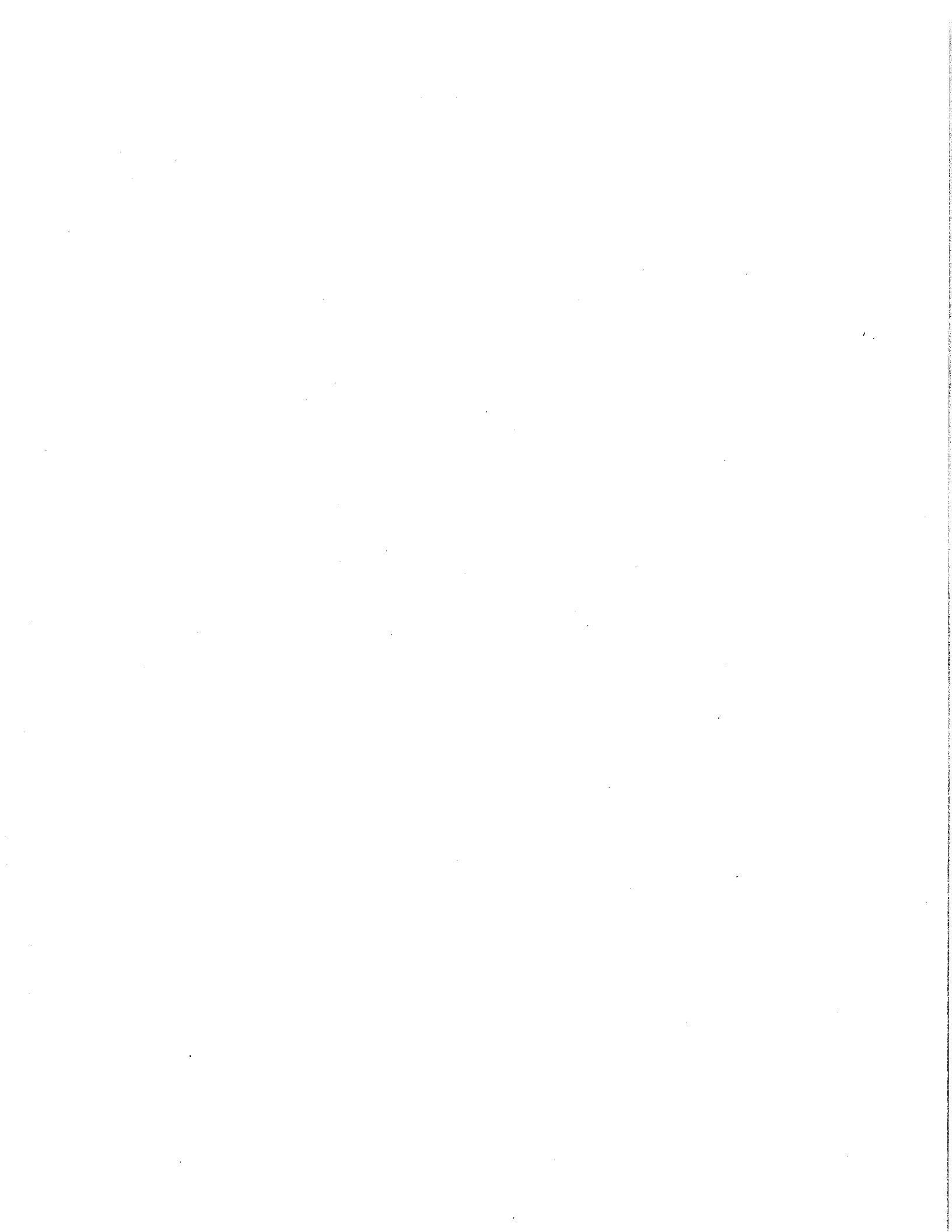
- Right-of-way dedication to include 25.5 feet to the back of sidewalk on the west side of Ensworth Street with a 4.5 foot roadway easement, 20.5 feet to back of curb on the east side of Ensworth Street with a 9.5 foot roadway easement and a 5 foot pedestrian access easement, all other necessary easements, and associated spandrels;
- 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: FORD PARTNERSHIP LLC  
CONTACT: RAD STUDIO LLC, 197 E. CALIFORNIA STREET SUITE 300, LAS VEGAS,  
NV 89104**







# VACATION APPLICATION 10A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	<b>STAFF</b>	DATE FILED: <u>1/9/20</u> PLANNER ASSIGNED: <u>SWD</u> ACCEPTED BY: <u>SWD</u> FEE: <u>875</u> CHECK #: <u>0123</u> COMMISSIONER: <u>M-N</u> OVERLAY(S)? _____ TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>VS-20-0023</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2/12</u> TIME: <u>6PM</u> PC MEETING DATE: <u>3/13/20</u> BCC MTG DATE: _____ ZONE / AE / RNP: <u>H=1</u> PLANNED LAND USE: <u>C-T</u>
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<b>PROPERTY OWNER</b>	NAME: <u>Ford Partnership LLC - Brock Metzka</u> ADDRESS: <u>197 E. California Ave Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702.665.6989</u> CELL: _____ E-MAIL: <u>bmetzka@yahoo.com</u>
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<b>APPLICANT</b>	NAME: <u>Ford Partnership LLC - Brock Metzka</u> ADDRESS: <u>197 E. California Ave Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702.665.6989</u> CELL: _____ E-MAIL: <u>bmetzka@yahoo.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>RAD studio LLC - Ryan Allord</u> ADDRESS: <u>197 E. California Ave Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702.340.6180</u> CELL: _____ E-MAIL: <u>ryan@RADstudio.lv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-17-701-001,-012,-013

PROPERTY ADDRESS and/or CROSS STREETS: Ensworth St. / W. Ford Avenue  
Patent easements

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

Brock Metzka  
 \_\_\_\_\_  
 Property Owner (Signature)\*

Brock Metzka  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 12-30-19 (DATE)  
 By Brock Metzka  
 NOTARY PUBLIC: [Signature]



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

December 30, 2019



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

**Re:** Justification Letter  
Application for Use Permit and Design Review with request for Waivers of Development Standards / & Vacation application  
Parcel # 177-17-701-011, -012, -013  
Address: Ensworth St & West Ford Avenue

To Whom it May Concern:

On behalf of the applicant, we respectfully request your review and approval of this application for a 5 story, 150 unit, 182,000 s.f. apartment building with a 3 story 110,000 s.f. parking garage located on parcels listed above which are currently zoned H-1 (Limited resort and Apartment district) with a CT (commercial tourist) planned land use. Total acreage for the 3 parcels is 3.75 total acres with a vacation & abandonment requirement for a designated right of way with the continuation of Ensworth south to W Ford and W Ford from centerline of street, east to west of the southern property line. This vacation of Ensworth essentially divides the proposed development in two, separating the garage component from the apartment component. This we feel creates an undue hardship as the land was acquired with the understanding that County Public Works was going to abandon Ensworth for a new 60' right of way easement to the western edge of parcel which abuts interstate 15. This was to be designated by the county as a new future frontage road. Due to a county reversal we were left to develop the property with Ensworth dividing the proposed project. We are proposing a skybridge to connect the two components and have had discussion with Erik Denman in PW in regards to this as well as an encroachment into the ROW with the formation of an L & M agreement. These emails are attached to this justification letter and represented on the submitted plans.

Under Title 30 Table 30.40-7 a residential use within an H-1 district is a special use permit request and the project must conform to the R-5 development standards on table 30.40-3.

The goals of this project are to create a well-designed apartment rental product with numerous high-end amenities targeted toward a younger demographic. The product closely aligns with other adjacent developments, specifically Loft5 and recently completed Kaktus Life apartments. All of which, our proposal included, are a loft type product were residents access units from a central corridor verses the more common exterior access apartment product type. This design approach is similar to more dense urban environments and we feel creates a more luxurious aesthetic that resembles a resort/hospitality property. Some of the amenities that are provide are a luxurious courtyard pool, with fire pits, cabanas, bbq and lounge spaces, 3,000 s.f. gym facility, residence party room, roof top view deck facing the strip, outdoor basketball court and interior lounge and theater space.

The waivers to development standards that we are requesting are in some part due to the aforementioned hardship and other requests are needed to hit target unit counts to make the project financially viable.

**RADstudio LLC**  
197 E. California St Suite 300  
Las Vegas, NV 89104  
e: [Ryan@RADstudiolv.com](mailto:Ryan@RADstudiolv.com)  
p: 702.340.6180

- 1) Building Height per R-5 standards allow for 50' where we are requesting 74'. This would be needed to allow for the 5<sup>th</sup> story and hit target unit counts.  
Justification: adjacent properties to the north and south are apartment complexes where carports or parking stalls abut the shared property lines, so setback of all surrounding buildings exceed zoning minimums. The increase we feel is minimal and will not have an adverse effect on these adjacent properties. Similarly our setbacks at these locations are well beyond the requirement for R-5 creating a significant buffer between properties. Lastly under Title 30 Table 30.40-7 a typical H-1 zoned property is allowed 100' in height for a resort use property so it is possible that the property could have been developed in a height greater than we are proposing
- 2) Setbacks for garage / Freeway buffer and Front Setback. Figure 30.64-4 Freeway buffer and setback requirements per R-5 rear setback requirements (table 30.40-3) requires 20' with landscape freeway buffer. We request to have the rear setback reduced to 3' and remove the requirement for the landscape buffer. Currently between the proposed setback and the freeway there is an approximate 6-8' high berm which raises up to an assumed 18-20' concrete sound wall. (see attached photos) We feel a landscape buffer would be unnecessary as it would not be visible from the freeway, nor do we feel there is need to provide a buffer for a parking garage to a freeway. The reduction in rear setback also aligns with the structures use as a parking garage, where we feel the proximity to the freeway is appropriate for the utilitarian function. Similarly the front setback where 20' is required we are proposing 10'. In order to make this project viable and the split parcel usable this parking structure is critical and with front and rear setback requirements it would not be possible. PW is requesting of our property only a 30' dedication from centerline of Ensworth, this exceeds dedications on parcels to the north and south of our property (20' and 25' dedications). If we were held to the same dedication standard, we would be meeting the front 20' setback requirement, so we would appreciate the reduction be permitted. Because the street section is only 20' not 30' we have 20' of separation from back of curb to garage, so we will have sufficient space for landscaping and an attached sidewalk.
- 3) Encroachment of Ensworth Street ROW of 10' on the east side of the street. In discussions with Public Works (emails attached) regarding the frontage road easement and reversal to maintain the Ensworth right of way. We requested the encroachment for 2 reasons, one is an effort to reduce the speeds of vehicular traffic so residents can more safely cross the street for building access and two to provide loading zones within this 10' for easier accessibility of moving trucks and also to allow for quicker drop off/pick up access to residents where crossing the street with items such as groceries could be an encumbrment. In discussions with PW they found this to be acceptable given an L&M agreement would be in place.
- 4) Per CCAUSD 222.1, throat depth requirement. At the garage per aforementioned table a parking structure of over 201 vehicles requires a throat depth of 150' minimum. Given the shallow depth of the lot this would not be attainable. Our justification for the removal of this requirement is we would not be providing restricted access into the garage. So no mechanical gates, closers or obstructions. Vehicles can pull in and continue into the garage without pause. So we don't believe there will be any backlog of vehicles entering the parking structure to halt traffic on Ensworth.



We feel this project will be a great contribution and variety to the existing adjacent surrounding apartment uses in the area and will provide a new and unique service to the community and we would appreciate the acceptance of our proposal.

Sincerely,

Ryan Allford, RA NCARB

**RADstudio LLC**  
197 E. California St Suite 300  
Las Vegas, NV 89104  
e: [Ryan@RADstudiolv.com](mailto:Ryan@RADstudiolv.com)  
p: 702.340.6180

03/03/20 PC AGENDA SHEET

FREESTANDING SIGN  
(TITLE 30)

SOUTHERN HIGHLANDS PKWY/ST. ROSE PKWY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0021-P8 W S TUSCAN HIGHLANDS, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase the number of freestanding signs.  
**DESIGN REVIEW** for a freestanding sign in conjunction with a multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

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

RELATED INFORMATION:

APN:  
191-08-301-013

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase the number of freestanding signs to 2 where 1 is allowed in a residential development per Table 30.72-1 (a 100% increase).

**LAND USE PLAN:**  
ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) - RESIDENTIAL MEDIUM (3 DU/AC TO 14 DU/AC)

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

- Site Address: 13656 Southern Highlands Parkway
- Site Acreage: 15.2
- Project Type: Freestanding sign plan
- Sign Height (feet): 23
- Sign (Square Feet): 212

**Signage**

This request is for a proposed gateway sign that is located over the main entry drive on Southern Highlands Parkway. The submitted plans depict the location, height, square footage, and material being used for the proposed sign. The other freestanding sign on the site is located along I-15 to the east. The gateway sign is 23 feet in height with an approximate sign area of 212 square feet. The sign will consist of reverse-lit channel letters and wrought-iron accent

pieces. The sign will have design elements that are compatible with the buildings for the multi-family apartment complex that is currently under construction.

Applicant's Justification

The applicant indicates that the proposed gateway style sign will only advertise the name of the multi-family development "Tuscan Highlands"; and therefore, will not have as much of an impact to the surrounding area as a standalone traditional freestanding sign. Furthermore, the sign will incorporate architectural features of the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0926	To expand a previously approved area for outside dining and drinking and to allow live entertainment in conjunction with a multi-family complex	Approved/ Denied by PC	February 2020
ET-18-400151 (UC-0483-16)	First extension of time for an on-premises consumption of alcohol with an outside patio in conjunction with a multi-family complex	Approved by PC	August 2018
UC-0483-16	Original request for an on-premises consumption of alcohol with an outside patio in conjunction with an approved multi-family complex with a design review for site modification to an approved community center and leasing office	Approved by PC	September 2016
ZC-0214-15	Reclassified the site to H-1 zoning with a use permit to allow multi-family development in an H-1 zone, variance to increase building height, and a design review for a multi-family development	Approved by BCC	June 2015
ZC-0588-05	Reclassified a portion of this site to R-3 zoning - expunged (this site only)	Approved by BCC	June 2005

**Surrounding Land Use**

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

\*Immediately to the east is I-15 South

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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.

Staff typically does not support requests to increase the number of freestanding signs on a property; however, this project is over 15 acres in size and the signs are not in close proximity to each other. The sign will be constructed of material consistent with the project's overall design theme and will meet all other provisions in Code as it pertains to height, materials, and 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: P8 WS TUSCAN HIGHLANDS, LLC**  
**CONTACT: MARK WHITEHOUSE, HIGH IMPACT SIGN AND DESIGN, 820 S.**  
**WIGWAM PARKWAY #100, HENDERSON, NV 89014**

**DRAFT**





# LAND USE APPLICATION 11A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

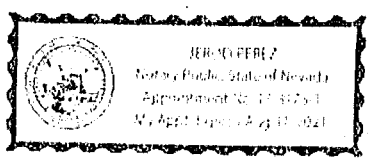
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>1/8/20</u> PLANNER ASSIGNED: <u>RK</u> ACCEPTED BY: _____ FEE: <u>\$1,150.00</u> CHECK #: <u>13917</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>PC</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N      PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-20-0021</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>2/12/20</u> TIME: <u>6:00pm</u> PC MEETING DATE: <u>3/3/20</u> TIME: <u>7:00pm</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>Exit MDP (SOFT)</u> NOTIFICATION RADIUS: <u>500ft</u> SIGN? <input type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: <u>u/WS 18.0900</u> COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>P8 WS Tuscan Highlands, LLC</u> ADDRESS: <u>2716 Ocean Park Blvd. #2025</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90405</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>	
	<b>APPLICANT</b>	NAME: <u>P8 WS Tuscan Highlands, LLC</u> ADDRESS: <u>2716 Ocean Park Blvd. #2025</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90405</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/z</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>High Impact Sign &amp; Design - Mark Whithouse</u> ADDRESS: <u>820 S. Wigwam Pkwy. #100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>(702) 736-7446</u> CELL: <u>000-000-0000</u> E-MAIL: <u>mwhitehouse@highimpact</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 191-08-301-013  
 PROPERTY ADDRESS and/or CROSS STREETS: Southern Highlands Parkway and St. Rose Parkway  
 PROJECT DESCRIPTION: Install arch way sign along Southern Highlands parkway.

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

[Signature] Property Owner (Signature)\*      [Print Name] Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 01/06/2020 (DATE)  
 By Laura Shannon  
 NOTARY PUBLIC: [Signature]



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



Date: January 8<sup>th</sup>, 2020

To: Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas NV 89155

Applicant: P8 WS Tuscan Highlands LLC  
2716 Ocean Park Blvd. Ste. 2025  
Santa Monica, CA 90405

Contact: Mark Whitehouse, High Impact Sign & Design

Re: Design Review with Waiver for Public Hearing

To whom it may concern;

We respectfully request the approval of a design review for signage with a waiver for Tuscan Highlands located 12656 Southern Highlands Pkwy. LV, NV 89141.

The sign will require the following waivers:

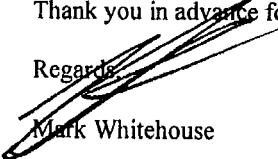
- Allow an additional freestanding sign where only one sign is allowed.

This proposed sign will be a sign that will only advertise the property's name. It is gateway style sign that will go over the roadway. This is not a traditional freestanding sign, it will serve as an architectural feature to the property.

The sign will be indirectly lit and will not negatively affect the surrounding area.

Thank you in advance for your time and consideration of this request.

Regards,

  
Mark Whitehouse

820 Wigwam Parkway, Ste 100  
Henderson, NV 89014  
(702) 736-7446 office  
(702) 644-0678 fax  
[www.highimpactsign.com](http://www.highimpactsign.com)

MULTI-FAMILY DEVELOPMENT  
(TITLE 30)

CACTUS AVE/RADCLIFF ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-20-400005 (NZC-0530-15)-AMH NV3 DEVELOPMENT, LLC:**

**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 5.0 acres from C-1 (Local Business) Zone to R-3 (Multi-Family Residential) Zone.

Generally located on the north side of Cactus Avenue, 1,270 feet west of Maryland Parkway within Enterprise (description on file). MN/al/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
177-27-801-005

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

**BACKGROUND:**  
Site Plan & History

The property is bounded by Cactus Avenue along the southern boundary, which provides access to the site. The original plans for the zone change depicted a multiple family residential development consisting of 90 units distributed among 18 buildings with a density of 18 dwelling units per acre. In August 2018, DR-18-0511 was approved to develop the site as a detached single family residential development consisting of 35 lots with a density of 7 dwelling units per acre.

Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400074 (NZC-0530-15):

Current Planning

- Until November 18, 2019 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

- Applicant to coordinate with Public Works - Development Review Division to correct the pedestrian access easement at driveway locations;
- Compliance with previous conditions.

Listed below are the approved conditions for NZC-0530-15:

#### Current Planning

- A resolution of intent to complete construction in 3 years;
- All exterior parking spaces must have signage that designates them as visitor parking only;
- Tenants of the facility to be notified upon signature of lease that garages are required for parking, and storage cannot impede the ability to park;
- Concurrence from Republic Services on individual trash pick-up;
- Design review as a public hearing for significant changes to the plan;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Proposed driveway to be commercial curb return driveways per County Standards 222.1 and 225;
- Reconstruct unused existing pan driveway with full off-site improvements.

#### 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; 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 homes purchased or soundproofed.

#### Building/Fire Prevention

- Applicant is advised to provide fire/emergency access with a 28 foot to 52 foot turning radius to comply with the Fire Code as amended; and to provide fire hydrants in accordance with the Fire Code.

#### Signage

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that since the last extension of time was approved in May 2018. The site has been redesigned as a single family residential development and applications have been submitted and approved for finished grade and increased retaining wall height. Development of the site continues to move forward; however, additional time is needed to complete the project.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0683	Increased retaining wall height for a single family residential subdivision	Approved by BCC	October 2019
DR-19-0162	Increased finished grade for a single family residential subdivision	Approved by BCC	April 2019
DR-18-0511	Single family residential development in R-3 zoning	Approved by BCC	August 2018
VS-18-0501	Vacated and abandoned easements and a portion of right-of-way being Cactus Avenue	Approved by BCC	August 2018
TM-18-500120	35 single family residential lots within R-3 zoning	Approved by BCC	August 2018
ET-18-400074 (NZC-0530-15)	First extension of time for R-3 zoning for a multiple family residential development	Approved by BCC	May 2018
NZC-0530-15	Reclassified this site to R-3 zoning for 90 units distributed among 18 buildings	Approved by BCC	November 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential High (8 to 18 du/ac)	R-3	Multiple family development
South	Residential High (8 to 18 du/ac)	R-2	Single family development
West	Residential Suburban (up to 8 du/ac)	P-F	Place of worship

**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.

Since, the approval of the last extension of time for this site the proposed development has changed from a multi-family project to a single family subdivision. The applicant has continued to move forward with plans to develop this site. Actions by the applicant have included the submittal of additional land use, including a tentative map, which has been approved to allow for the development of the property. Given the change in project type since the last extension of time and the applicant's continued progress to develop the property, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until November 18, 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; 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: AMH DEVELOPMENT WEST GC, LLC**

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



# LAND USE APPLICATION 12A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>NEL-15-0530</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>1/15/20</u> PLANNER ASSIGNED: <u>JUN</u> ACCEPTED BY: <u>SWD</u> FEE: <u>900</u> CHECK #: <u>1313919</u> COMMISSIONER: <u>M-N</u> OVERLAY(S)? <u>—</u> PUBLIC HEARING? Y/ <input checked="" type="checkbox"/> N TRAILS? Y/ <input checked="" type="checkbox"/> N PFNA? Y/ <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>Et-2040005</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATED <u>2-12</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/4/20</u> ZONE / AE / RNP: <u>C-1</u> PLANNED LAND USE: <u>CU</u> NOTIFICATION RADIUS: <u>—</u> SIGN? Y/ <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>AMH NV3 Development, LLC</u> ADDRESS: <u>30601 Agoura Rd #200</u> CITY: <u>Agoura Hills</u> STATE: <u>CA</u> ZIP: <u>91301</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	<b>APPLICANT</b>	NAME: <u>AMH Development West GC, LLC</u> ADDRESS: <u>280 Pilot Rd. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-960-1575</u> CELL: _____ E-MAIL: <u>tkolstad@ah4r.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-27-801-005

PROPERTY ADDRESS and/or CROSS STREETS: Cactus & Radcliff

PROJECT DESCRIPTION: Residential subdivision - 35 Lots

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

[Signature]  
 Property Owner (Signature)\*

Dana Rogers - Senior VP - Development  
AMH Development, LLC  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 25, 2019 (DATE)  
 By Dana Rogers

NOTARY PUBLIC: Janna Felipe

**JANNA FELIPE**

Notary Public State of Nevada  
No. 03-81646-1  
My appt. exp. Mar. 30, 2020

NOTARY: JANNA FELIPE My appt. expires March 30, 2020

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



# TANEY ENGINEERING

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

January 8, 2020

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

ET-20-400005

**Re: Cactus & Radcliff – Justification Letter  
Extension of Time – NZC-15-0530  
APN: 177-27-801-005**

To Whom It May Concern:

Taney Engineering, on behalf of our client, AMH Development West GC, LLC, is respectfully submitting a justification letter for an extension of time for Non-Conforming Zone Change – NZC-15-0530.

The original land use application for NZC-15-0530 expired November, 2019, but Clark County GISMO reported an expiration date of November, 2020. Working with Clark County Planning Staff, we were allowed to apply for this extension of time and email verification is included with this request.

Our client has recently obtained their offsite permit and they are currently under construction. If the extension of time is granted, we will be able to record our final subdivision map.

We would like to request an extension of 12 months in order for our client to complete construction.

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

Respectfully,

Brian Myers, P.E.  
Project Manager



03/04/20 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-20-0047-MOTOR HOLDINGS, LLC:

USE PERMIT for a proposed marijuana establishment (dispensary) in conjunction with an approved office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an 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/jd (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 total (1 M-D/1.1 C-2)
- Number of Lots: 1
- Project Type: Relocate an approved marijuana establishment (dispensary) facility
- Number of Stories: 3
- Building Height (feet): 50
- Square Feet: 16,560 (total office/warehouse building)/3,000 (dispensary & retail)/2,050 (office & other accessory uses associated with dispensary)/5,520 (cultivation)/5,970 (production)
- Parking Required/Provided: 78/104 (total site)

Site Plans

The plans depict an approved 16,560 square foot office/warehouse building located on the southern portion of the western 1 acre parcel within the M-D zoned portion of the site and an approved 7,746 square foot retail building located on the southern portion of the eastern 1.1 acres within the 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 when measured from the top of 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 with the approved production and cultivation facilities on the second and third floors and the first floor being modified to allow a dispensary/retail marijuana establishment consisting of the following.

- Main entry
- Dispensary
- Display/sales area
- Consultation Room
- Production room
- Office space
- Break room
- 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 dispensary and retail sales facility located at 4110 South Maryland Parkway. The purpose of this request is to relocate the dispensary facility to this location in conjunction with the approved production and cultivation facilities. The applicant also indicates that the site will provide a safe and secure location for a dispensary facility.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0076	Marijuana establishment (production) in conjunction with an office/warehouse building	Approved by BCC	April 2019
UC-19-0061	Marijuana establishment (cultivation) in conjunction with an office/warehouse building	Approved by BCC	April 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0060	Reclassified the site from R-E to C-2 and M-D zoning with a design review for a warehouse and retail building	Approved by BCC	April 2019
VS-19-0063	Vacated and abandoned easements	Approved by BCC	April 2019
TM-19-500017	Commercial subdivision	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	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
UC-20-0048	A use permit for a marijuana establishment (retail marijuana store) 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 mile radius, 113 crime reports were filed by Metro in the 60 days prior to application submittal.

The applicant submitted the required security and transportation plans with the approved use permits for marijuana establishments (production & cultivation). The security plan addressed 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.

Although use permits for marijuana establishments (production & cultivation) have been approved on this site, staff is concerned about the proximity of the proposed marijuana establishment to the Las Vegas Boulevard Gaming Corridor. Although the proposed marijuana establishment 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 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. To address this concern, the zone change for this site was approved with a condition requiring a subdivision map to record prior to issuance of building permits in order to establish a firm boundary between these facilities and the Las Vegas Boulevard Gaming Corridor. As of the drafting of this report a subdivision map has not been submitted for review and approval.

Furthermore, marijuana establishments (dispensaries) should consider additional factors to determine if the proposed location is appropriate and best suited to serve the needs of the residents of Clark County. Among these factors are whether the proposed dispensaries are properly dispersed throughout the more populous area of Clark County so that those authorized to use medical marijuana will have convenient access to a sufficient distribution of marijuana for medical use, while also considering whether the locations that are approved, if any, do not adversely impact any 1 area by being located too closely to another dispensary and whether the dispensary is proximately located to medical offices, pharmacies, neighborhood services or similar facilities, including by way of public transportation, such that patrons of a dispensary may conveniently access other facilities serving their medical needs. According to the location analysis submitted by the applicant, the nearest hospital facility is approximately 2 miles away and the nearest residential uses are farther to the west of Interstate 15. Therefore, 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.

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.**

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 Department of Air Quality;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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 commercial driveways must be a minimum of 32 wide, measured from lip of gutter to 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, and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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 owners wish to have their buildings purchased or soundproofed.

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- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**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: CATHERINE MIZZI**

**CONTACT: CATHERINE MIZZI, PISOS DISPENSARY, 4110 S. MARYLAND PKWY, SUITE 1, LAS VEGAS, NV 89119**



# MARIJUANA ESTABLISHMENT APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS ON REVERSE FOR MORE INFORMATION

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> USE PERMIT <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW <input type="checkbox"/> EXTENSION OF TIME  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW  (ORIGINAL APPLICATION #) <b>MARIJUANA ESTABLISHMENT</b> <input type="checkbox"/> CULTIVATION FACILITY <input checked="" type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input checked="" type="checkbox"/> RETAIL MARIJUANA STORE	STAFF	DATE FILED: <u>1/16/20</u> PLANNER ASSIGNED: <u>[Signature]</u> ACCEPTED BY: _____ FEE: <u>\$5,175.00</u> CHECK #: _____ COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>NA</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-20-0047</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>2/12</u> TIME: <u>4:00p</u> BCC MEETING DATE: <u>3/4/20</u> ZONE / AE: <u>MD/EC2</u> PLANNED LAND USE: <u>CT</u> PUBLIC HEARING? <u>500'</u> <u>DPIN</u> NOTIFICATION RADIUS: <u>500'</u> LETTER DUE DATE: _____
		PROPERTY OWNER	NAME: <u>Motor Holdings LLC</u> ADDRESS: <u>3750 Las Vegas Blvd. South. Ste: 3508</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89158</u> TELEPHONE: <u>702.283.3974</u> CELL: _____ E-MAIL: <u>Catherine@pisoflv.com</u>

APPLICANT	NAME: <u>Motor Holdings LLC</u> ADDRESS: <u>3750 Las Vegas Blvd. South.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89158</u> TELEPHONE: <u>702.283.3974</u> CELL: _____ E-MAIL: <u>Catherine@pisoslv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Catherine Mizzi</u> ADDRESS: <u>4110 S. Maryland Pkwy Suite:</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.283.3974</u> CELL: _____ E-MAIL: <u>Catherine@pisoslv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-05-801-030

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Rd. and Windy St.

PROJECT DESCRIPTION: Dispensary

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

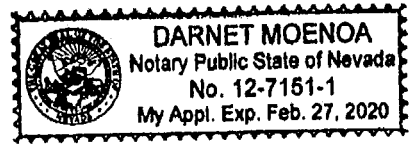
Property Owner (Signature)\* [Signature]

Property Owner (Print) Daniel HC Brasov

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1/7/20 (DATE)

By Daniel Brasov  
NOTARY PUBLIC: [Signature]



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity of 4

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3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

December 27, 2019

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 551744  
Las Vegas, Nevada 89155-1744

**RE: Justification Letter for a Marijuana Dispensary Special Use Permit  
(APN: 177-05-801-030, Las Vegas, NV 89119)**

Dear Sir or Madam:

Motor Holdings, LLC. is a for-profit dispensary organized as an LLC under the laws of Nevada. Founded in 2014, the company plans to operate a medical cannabis dispensary, cultivation, and production facility at APN: 177-05-801-030 Las Vegas, Nevada 89119. The planned dispensary will proceed in accordance with all Clark County and Nevada laws and regulations relating to marijuana dispensary operation.

The Special Use Permit for the intended site is respectfully requested with the intent to meet, if not exceed, site selection parameters pursuant to the Clark County Code, Title 30, for a location appropriate and best suited to serve the residents of Clark County.

**BUILDING FACILITY AND OPERATIONAL SECURITY**

*Implementation of a Security Plan that Addresses Patron and Employee Safety, Product and Building Security*

- **The Priority of Safety.** Patient, worker, and neighborhood security are the highest priority. The company has developed a state-of the-art plan that takes advantage of the security industry's best practices and most up-to-date technology, ensuring that the dispensary facility operates at the highest level of legal compliance and security preparedness.
- **Facility and Operational Security Plan.** The security plan is divided into two components: *Facility Security* and *Operations Security*. The preventive measures adopted in these components will minimize security exposure and protect the public, patients, and staff. Should there be any breach of security, comprehensive response capabilities will ensure the incident is quickly detected, contained, and resolved at the appropriate response level.



3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

Clark County Comprehensive Planning  
December 27, 2019

**A PLANNED PROFESSIONAL DISPENSARY FACILITY. EMBODYING INDUSTRY EXPERIENCE, PATIENT EDUCATION AND COMMUNITY OUTREACH.**

*The dispensary facility plans to utilize state-of-the-art technology coupled with the highest level of professional service and integration of community outreach activities.*

- **Professional Dispensary Facilities and Service.** The dispensary is being designed and built to feature state of the art technology with forward-looking green practices. Security and safety are critical components of the operations.

The patients will be provided with safe products, professionally packaged, and presented in a compassionate, service-focused way in a comfortable setting by well-trained staff. Patient education is a key element of our approach and will be part of every transaction.

- **Community Outreach.** The company plans to take every effort to be “good neighbors” in the community. This means providing extensive community outreach, including hiring, indigent care, and public involvement.
- **Industry Experience.** Motor Holdings, LLC is governed by leading professionals and community leaders with many years in combined management, finance, legal, government, and industry expertise. Management has extensive experience and strong ties to their respective communities in Nevada. This breadth of experience and deep ties to the community will be needed to help guide us through the many complex issues facing cannabis dispensaries in Nevada and across the country.

Some of the team members are experts in operating dispensaries and cultivation centers in Colorado and have extensive and unblemished experience working with the Marijuana Enforcement Division (MED) on a variety of issues.

**DISPENSARY LOCATION SUITABILITY**

*The proposed site poses no challenging area crime threat, convenient access to populous areas and neighborhood facilities, and secure transport of product from seed to sale.*

- **Area Crime.** A crime report has been provided herein. The crime within a 1-mile radius of the proposed dispensary does not pose an undue threat to the security of the establishment, its products, employees or prospective patrons. The extensive and comprehensive facility and operational security measures, proposed herein, will prevent and deter potential escalated crime near or within the vicinity of the dispensary location.

## Motor Holdings, LLC

3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

Clark County Comprehensive Planning  
December 27, 2019

- **Proximity and Access to Populous Areas.** The location analysis provided herein denotes the dispensary location that will serve and provide convenient access, as well as accessibility by means of public transportation to offices, businesses, and other neighborhood facilities located within the populous areas located at the corner of Warm Springs Rd and Windy St. The proposed location also maintains the required distances from schools, community facilities and residences.
- **Vertical Integration of the Cultivation Facility Provides the Highest Standard of Controls and Secure Transport of the Product from Seed to Sale.** As cultivation center and dispensary are housed within the same building, the inventory control tracking system will log and accurately account for all marijuana as it "EXITS" the cultivation center and "ENTERS" the dispensary. The product will flow into a secure "weigh and package" room adjacent the dispensary where the product will be weighed, packaged and labeled. The inventory control system will reconcile the final weighed product against the manifest of incoming product.

Inventory results will be submitted to the inventory control agent for reconciliation with the inventory data generated the previous evening or in the operations of the day after being closed out. Any discrepancies will trigger an inventory audit by the inventory control agent and, if confirmed, a review of electronic security and surveillance data. Law enforcement authorities will be notified immediately if the inventory control agent ascertains that there has indeed been loss, theft, improper diversion, or any other criminal activity.

In conclusion, the proposed site will provide a state-of-the-art dispensary location that is well suited to professionally serve the needs of the community while maintaining the highest standard for the safety of the establishment's products, employees and patrons.

Sincerely,

Motor Holdings, LLC

03/04/20 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT  
(TITLE 30)

WARM SPRINGS RD/WINDY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0048-MOTOR HOLDINGS, LLC:**

**USE PERMIT** for a proposed marijuana establishment (retail marijuana store) in conjunction with an approved office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an 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/jd (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 total/1 M-D/1.1 C-2
- Number of Lots: 1
- Project Type: Relocate an approved marijuana establishment (retail marijuana store) facility
- Number of Stories: 3
- Building Height (feet): 50
- Square Feet: 16,560 (total office/warehouse building)/3,000 (dispensary & retail)/2,050 (office & other accessory uses associated with dispensary)/5,520 (cultivation)/5,970 (production)
- Parking Required/Provided: 78/104 (total site)

Site Plans

The plans depict an approved 16,560 square foot office/warehouse building located on the southern portion of the western 1 acre parcel within the M-D zoned portion of the site and an approved 7,746 square foot retail building located on the southern portion of the eastern 1.1 acres within the 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 when measured from the top of 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 with the approved production and cultivation facilities on the second and third floors and the first floor being modified to allow a dispensary/retail marijuana establishment consisting of the following:

- Main entry
- Dispensary
- Display/sales area
- Consultation Room
- Production room
- Office space
- Break room
- 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 dispensary and retail sales facility located at 4110 South Maryland Parkway. The purpose of this request is to relocate the retail marijuana store facility to this location in conjunction with the approved production and cultivation facilities. The applicant also indicates that the site will provide a safe and secure location for a dispensary facility.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0076	Marijuana establishment (production) in conjunction with an office/warehouse building	Approved by BCC	April 2019
UC-19-0061	Marijuana establishment (cultivation) in conjunction with an office/warehouse building	Approved by BCC	April 2019
NZC-19-0060	Reclassified the site from R-E to C-2 and M-D zoning with a design review for a warehouse and retail building	Approved by BCC	April 2019
VS-19-0063	Vacated and abandoned easements	Approved by BCC	April 2019
TM-19-500017	Commercial subdivision	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	R-E	Undeveloped
East	Commercial Tourist	C-2 & C-R	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
UC-20-0047	A use permit for a marijuana establishment (dispensary) 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 mile radius, 113 crime reports were filed by Metro in the 60 days prior to application submittal.

The applicant submitted the required security and transportation plans with the approved use permits for marijuana establishments (production & cultivation). The security plan addressed 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.

Although use permits for marijuana establishments (production & cultivation) have been approved on this site, staff is concerned about the proximity of the proposed marijuana establishment to the Las Vegas Boulevard Gaming Corridor. Although the proposed marijuana establishment 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 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. To address this concern, the zone change for this site was approved with a condition requiring a subdivision map to record prior to issuance of building permits in order to establish a firm boundary between these facilities and the Las Vegas Boulevard Gaming Corridor. As of the drafting of this report a subdivision map has not been submitted for review and approval.

Furthermore, marijuana establishments (retail marijuana store) should consider additional factors to determine if the proposed location is appropriate and best suited to serve the needs of the residents of Clark County. One of these factors is whether the retail marijuana store is adequately separated from other retail marijuana stores to prevent a high concentration of stores within close proximity. According to the location analysis submitted by the applicant, there are 2 similar facilities within an approximate 2 miles radius of the site. Therefore, 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.

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.

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 Department of Air Quality;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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 commercial driveways must be a minimum of 32 wide, measured from lip of gutter to 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;
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PROTESTS:**

**APPLICANT: CATHERINE MIZZI**

**CONTACT: CATHERINE MIZZI, PISOS, 4110 S. MARYLAND PARKWAY, LAS VEGAS, NV 89119**





# MARIJUANA ESTABLISHMENT APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS ON REVERSE FOR MORE INFORMATION

<b>APPLICATION TYPE</b>		<b>STAFF</b>	DATE FILED: <u>1/16/20</u>	APP. NUMBER: <u>UC-20-0048</u>
<input checked="" type="checkbox"/> USE PERMIT <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW <input type="checkbox"/> EXTENSION OF TIME  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW  (ORIGINAL APPLICATION #) <b>MARIJUANA ESTABLISHMENT</b> <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input checked="" type="checkbox"/> RETAIL MARIJUANA STORE	<b>PROPERTY OWNER</b>		PLANNER ASSIGNED: <u>[Signature]</u>	TAB/CAC: <u>Enterprise</u>
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<b>APPLICANT</b>	NAME: <u>Motor Holdings LLC</u>
	ADDRESS: <u>3750 Las Vegas Blvd. South.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89158</u> TELEPHONE: <u>702.283.3974</u> CELL: _____ E-MAIL: <u>Catherine@pisoslv.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Catherine Mizzi</u>
	ADDRESS: <u>4110 S. Maryland Pkwy Suite:</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.283.3974</u> CELL: _____ E-MAIL: <u>Catherine@pisoslv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-05-801-030

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Rd. and Windy St.

PROJECT DESCRIPTION: Retail Marijuana Store

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

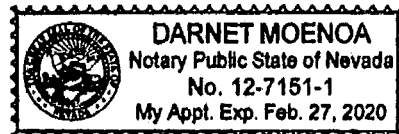
Property Owner (Signature)\* [Signature]

Property Owner (Print) Daniel HC Brasov

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1/7/20 (DATE)

By Daniel Brasov  
NOTARY PUBLIC: [Signature]



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3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

December 27, 2019

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 551744  
Las Vegas, Nevada 89155-1744

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(APN: 177-05-801-030, Las Vegas, NV 89119)**

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3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

Clark County Comprehensive Planning  
December 27, 2019

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The patrons will be provided with safe products, professionally packaged, and presented in a compassionate, service-focused way in a comfortable setting by well-trained staff. Patron education is a key element of our approach and will be part of every transaction.

- **Community Outreach.** The company plans to take every effort to be "good neighbors" in the community. This means providing extensive community outreach, including hiring and public involvement.
- **Industry Experience.** Motor Holdings, LLC is governed by leading professionals and community leaders with many years in combined management, finance, legal, government, and industry expertise. Management has extensive experience and strong ties to their respective communities in Nevada. This breadth of experience and deep ties to the community will be needed to help guide us through the many complex issues facing cannabis dispensaries in Nevada and across the country.

Some of the team members are experts in operating dispensaries and cultivation centers in Colorado and have extensive and unblemished experience working with the Marijuana Enforcement Division (MED) on a variety of issues.

**MARIJUANA RETAIL STORE LOCATION SUITABILITY**

*The proposed site poses no challenging area crime threat, convenient access to populous areas and neighborhood facilities, and secure transport of product from seed to sale.*

- **Area Crime.** A crime report has been provided herein. The crime within a 1-mile radius of the proposed Marijuana Retail Store does not pose an undue threat to the security of the establishment, its products, employees or prospective patrons. The extensive and comprehensive facility and operational security measures, proposed herein, will prevent and deter potential escalated crime near or within the vicinity of the Marijuana Retail Store location.

3750 Las Vegas Blvd South #3508, Las Vegas, NV 89158-4368

Clark County Comprehensive Planning  
December 27, 2019

- **Proximity and Access to Populous Areas.** The location analysis provided herein denotes the Marijuana Retail Store location that will serve and provide convenient access, as well as accessibility by means of public transportation to offices, businesses, and other neighborhood facilities located within the populous areas located at the corner of Warm Springs Rd and Windy St. The proposed location also maintains the required distances from schools, community facilities and residences.
- **Vertical Integration of the Cultivation Facility Provides the Highest Standard of Controls and Secure Transport of the Product from Seed to Sale.** As cultivation center and Marijuana Retail Store are housed within the same building, the inventory control tracking system will log and accurately account for all marijuana as it "EXITS" the cultivation center and "ENTERS" the Marijuana Retail Store. The product will flow into a secure "weigh and package" room adjacent the Marijuana Retail Store where the product will be weighed, packaged and labeled. The inventory control system will reconcile the final weighed product against the manifest of incoming product.

Inventory results will be submitted to the inventory control agent for reconciliation with the inventory data generated the previous evening or in the operations of the day after being closed out. Any discrepancies will trigger an inventory audit by the inventory control agent and, if confirmed, a review of electronic security and surveillance data. Law enforcement authorities will be notified immediately if the inventory control agent ascertains that there has indeed been loss, theft, improper diversion, or any other criminal activity.

In conclusion, the proposed site will provide a state-of-the-art Marijuana Retail Store location that is well suited to professionally serve the needs of the community while maintaining the highest standard for the safety of the establishment's products, employees and patrons.

Sincerely,

Motor Holdings, LLC

PASSENGER TERMINAL  
(TITLE 30)

LAS VEGAS BLVD S/B BLUE DIAMOND RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0049-LSREF EXHIBITION INVEST, LLC:**

**USE PERMITS** for the following: 1) a passenger terminal (train station); 2) retail sales; 3) restaurants; and 4) outside dining and drinking.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) elimination of freeway buffer; and 2) encroachment into airspace.

**DESIGN REVIEWS** for the following: 1) passenger terminal (train station) and parking garage; and 2) alternative landscaping in conjunction with a passenger terminal and parking garage on 110.7 acres in an H-1 (Limited Resort and Apartments) (AE-60 & AE-65) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Blue Diamond Road within Enterprise. MN/m/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-08-601-001 through 177-08-601-006; 177-08-601-008; 177-08-701-001 through 177-08-701-004; 177-08-701-008; 177-08-701-011; 177-08-701-012; 177-08-701-014; 177-08-799-009; 177-08-799-010

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive 6 foot high freeway buffer wall required per Figure 30.64-4 (a 100% reduction).
2. Permit encroachment into airspace for a passenger terminal (train station) and parking garage per Section 30.48.160.

**DESIGN REVIEWS:**

1. Passenger terminal (train station) and parking garage.
2. Alternative site landscaping per plans.

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 110.7
- Project Type: Transportation service terminal

- Number of Stories: 3 (train station)/7 (parking garage)
- Building Height (feet): 60 (train station)/88 (parking garage)
- Square Feet: 159,198 (train station)/114,000 (parking garage)
- Parking Provided: 2,680

### Site Plan

The conceptual plan shows a 2 story passenger terminal (train station) with a basement, a 7 story parking garage, a train platform area, and improvements to Robindale Road, Eldorado Lane, and Frank Sinatra Drive. A fire lane is depicted on the southern and the eastern edges of the passenger terminal building. The passenger terminal building extends over the length of Frank Sinatra Drive and provides pedestrian access to the train platforms. The parking garage connects to the passenger terminal building by way of a 138 foot long covered pedestrian walkway which bisects the curbside arrival and departure area. The curbside arrival and departure area is depicted as allowing vehicles to enter from Eldorado Lane. There are 2 entrances from Eldorado Lane; the first entrance is a 2 lane main drive way with a median separating the traffic directions, the second entrance is adjacent to the parking garage and also allows for 2 way traffic. The incoming traffic from Eldorado Lane will be funneled from 2 lanes under the covered walkway into 4 lanes of traffic for pick-ups and drop-offs. The plan shows a 2 lane shuttle bus drop-off area with a turnout lane on Frank Sinatra Drive under the passenger terminal building. There are 4 existing billboards along the western side of the site along I-15. Access to the site will be from Las Vegas Boulevard South from either Robindale Road or Eldorado Lane.

### Landscaping

The plan shows perimeter landscaping on the north side of Robindale Road extending north along Las Vegas Boulevard South and on the south side of Eldorado Lane. Internally, landscaping will be on both sides of the main divided access road from Eldorado Lane and in the median. The median area of the curbside arrival and departure area will be landscaped. Landscape areas will be on the west, south, and east sides of the parking garage. A landscape strip extends on the west side of Frank Sinatra Drive between the roadway and the train platform.

### Elevations

The conceptual plans show a 60 foot high, 2 story passenger terminal building with an insulated glass exterior with aluminum and metal accents. The passenger terminal building is about 700 feet long and crosses over the entire length of Frank Sinatra Drive and extends over a portion of the train platform. The proposed parking garage is 88 feet high and 7 stories tall. An 18 foot high 138 foot long covered walkway connects the parking garage and the passenger terminal buildings and overhangs the curbside arrival and departure area on the ground level. The parking garage appears to be metal panels with glass exterior accents.

### Floor Plans

The first floor of the passenger terminal building includes a self-ticketing area, departure lobby, baggage claim, retail space, outdoor dining area, restrooms, office areas, and escalators/stairs. The second floor of the passenger terminal includes retail space, restrooms, passenger waiting areas (lounges), security, and access to the escalators/stairs to the train platform. The first floor of the parking terminal includes separate travel lanes delineated for taxi pick-ups, ride-share, and a

separate turn out area for shuttle bus pick-ups. Stairways are located in each corner of each floor of the parking garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use is compatible with the goals and policies of the Comprehensive Master Plan and that the proposed use will not have negative impacts on the surrounding area. According to the applicant the high speed train will enhance Las Vegas as a whole and provide easier access to California. The train station will promote economic viability and bring thousands of jobs and opportunities to the area. The station is close to public transportation and will dramatically reduce the amount of vehicles coming and leaving Las Vegas.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500108	1 lot commercial subdivision	Approved by the PC	July 2019
VS-19-0401	Vacated and abandoned patent easements and rights-of-way including Robindale Road (alignment), Moberly Avenue, a cul-de-sac bulb and attached right-of-way on Ensworth Street (alignment) south of Eldorado Lane	Approved by the PC	July 2019
WS-19-0400	Non-standard improvements in the right-of-way	Approved by the PC	July 2019
ZC-0620-11 (ET-0034-17)	First extension of time allowed future development, expanded Gaming Enterprise District, allowed a High Impact Project, and other commercial uses, waivers and deviations for reduced parking and encroachment into airspace, and design reviews for all applicable uses on-site - expired	Approved by BCC	May 2017
ZC-0620-11 (WC-0156-12)	Waived the dedication of frontage road per the Transportation Element and replaced it with the reservation of frontage road per the Transportation Element	Approved by BCC	March 2013
TM-0071-12	1 lot commercial subdivision - expired	Approved by PC	September 2012

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0620-11	Reclassified 110 acres from R-E, C-1, M-D, H-1, and H-2 zoning to H-1 (AE-60 & AE-65) zoning; use permits to allow an expansion of the Gaming Enterprise District (eastern portion), allowed a High Impact Project, with deviations/waivers for reduced on-site parking and encroachment into airspace; design reviews for a resort hotel, high rise towers and hotel condominiums, convention center, and mid/low-rise buildings; zoning is permanent, all other applications - expired	Approved by BCC	April 2012

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0967-98	Off-premises signs	Approved by PC	August 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-2, R-E, & H-1	Undeveloped
South	Commercial Tourist	Right-of-way	Blue Diamond Road
East	Commercial Tourist	H-1	Commercial uses
West	Commercial Tourist	Right-of-way	I-15

**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.

Staff finds that the proposed use permits for a passenger terminal (train station) with retail sales, restaurants, and outside dining and drinking are compatible with the surrounding uses in the area. The proposed uses primarily cater to tourists within the resort corridor which complies with the Enterprise Land Use Plan for the Commercial Tourist area; therefore, staff can support these requests.



### Waivers of Development Standards

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

### Waiver of Development Standards #1

Staff finds that the applicant's request to eliminate the wall and landscaping from the required buffer adjacent to the freeway to be acceptable since a 6 foot high wall will not screen the proposed 60 foot high passenger terminal building and 88 foot high parking garage from the freeway traffic. Staff can support the waiver request.

### Design Reviews

The project complies with the Commercial Tourist designation of the Enterprise Land Use Plan which encourages commercial establishments that primarily cater to tourists. The site is located in a zone which can allow for a variety of uses since, it is located in the Resort Corridor. The Comprehensive Master Plan under the Urban Specific Policies discusses the Commercial Tourist designation. The proposed project complies with Policy 86 and Policy 92 which encourage functional pedestrian friendly developments with street side entrances for pedestrians and public transit users. The design of the proposed building at this time complies with Policy 93 since, the passenger terminal and the parking garage appear to be architecturally compatible to each other. Urban Specific Policy 28 encourages unique transportation opportunities, an electric speed train is a new transportation opportunity. The utilization of an electric speed train could be a solution to reduce automobile dependence and reduce traffic congestion between California and Las Vegas travelers. Reducing traffic can in turn reduce air pollution. Since, the project complies with various policies of the Comprehensive Master Plan, staff can support the 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.

Additionally, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace determination and the Department of Aviation has reviewed the determination.

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.

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**

- Design review as a public hearing for final plans.
- 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;
- Full off-site improvements;
- Traffic study and compliance;
- Right-of-way dedication and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Right-of-way dedication and roadway easements to include 80 feet for Robindale Road, 60 feet for the frontage road, 30 feet for Eldorado Lane, and associated spandrels, as determined by Public Works - Map Team;
- If required by the Regional Transportation Commission (RTC), construct a standard bus stop with a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on the west side of Las Vegas Boulevard South, just south of and as close to practical to both the Eldorado Lane and Robindale Road alignments.
- Applicant is advised that the plans do not contain enough detail to determine compliance with the Uniform Standard Drawings; that additional land use applications may be needed to address the Uniform Standard Drawings; 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.

**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; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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 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@cleanwatersum.com](mailto:sewerlocation@cleanwatersum.com) and reference POC Tracking #0027-2020 to obtain your POC exhibit; flow contributions exceeding CCWRD estimates may require another POC analysis; at time of development, the Developer is required to meet with CCWRD; CCWRD needs average wastewater flows at build-out to verify sewer point of connection; CCWRD has existing 21 inch and 24 inch public sanitary sewers going across the Developer's site; the applicant is required to confirm the existence of CCWRD sewer easements, provide any new easements where missing; and to confirm that the applicant's development does not encumber the sewer easements.

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

**APPLICANT:** LV PROPERTY HOLDINGS ONE, LLC  
**CONTACT:** CHRISTOPHER KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135





# LAND USE APPLICATION 15A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>1/16/20</u> PLANNER ASSIGNED: <u>NR</u> ACCEPTED BY: <u>NR</u> FEE: <u>1825</u> CHECK #: <u>INVOICED</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>MUD-2</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>40-20-0049</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>2/12</u> TIME <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/4 @ 9am</u> ZONE / AE / RNP: <u>H-1/AE-60/AE-65</u> PLANNED LAND USE: <u>CT</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>LSREF Exhibition Investments, LLC</u> ADDRESS: <u>2711 N. Haskell Avenue, Suite 1700</u> CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75204</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	APPLICANT	NAME: <u>LV Property Holdings One, LLC</u> ADDRESS: <u>1000 Via Augustin, Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	CORRESPONDENT	NAME: <u>Chris Kaempfer - Kaempfer Crowell</u> <span style="float: right;"><u>164820</u></span> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>cha@kcnvlaw.com</u> <span style="float: right;"><u>CIV</u></span>	

ASSESSOR'S PARCEL NUMBER(S): 177-08-601-001 thru 006, 008, 177-08-701-001 thru 004, 008 thru 012 and 014

PROPERTY ADDRESS and/or CROSS STREETS: 1-215 / Robindale

PROJECT DESCRIPTION: Special Use Permit for train station & passenger terminal quasi public facility

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

Laura P. Sims  
Vice President

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

STATE OF TEXAS  
 COUNTY OF DALLAS

SUBSCRIBED AND SWORN BEFORE ME ON 12/20/2019 (DATE)  
 By Laura Serafin  
 NOTARY PUBLIC: Laura Serafin

LAURA SERAFIN  
Notary Public  
STATE OF TEXAS  
ID# 130860514  
My Comm. Exp. May 12, 2020

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

**KAEMPFER  
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFER

[ckaempfer@kcwlaw.com](mailto:ckaempfer@kcwlaw.com)  
702.792.7064

**PLANNER  
COPY**

UC-20-0049

LAS VEGAS OFFICE  
1980 Festival Plaza Drive  
Suite 850  
Las Vegas, NV 89135  
Tel: 702.792.7000  
Fax: 702.793.7181

RENO OFFICE  
60 West Liberty Street  
Suite 700  
Reno, NV 89501  
Tel: 775.662.3900  
Fax: 775.327.2011

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

January 16, 2020

**VIA HAND DELIVERY**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway  
First Floor  
Las Vegas, Nevada 89155

**Re: *Justification Letter – Special Use Permit, Design Review, and  
Waiver of Development Standards  
Virgin Trains USA, LLC  
Las Vegas Blvd. and Eldorado Lane***

To Whom It May Concern:

This firm represents Virgin Trains USA, LLC, (the "Applicant") in the above referenced matter. The proposed project is located on approximately 110.7 acres on the southwest corner of Las Vegas Boulevard and Eldorado Lane (the "Property"). The Property is more particularly described as the Assessor's Parcel Numbers listed on the site plan. The Applicant is requesting a special use permit, design review to allow for a quasi public facility which will include a train station and passenger terminal, and a waiver for freeway landscaping and wall.

**1. Special Use Permit**

The Property is located along Las Vegas Boulevard, directly across from the South Las Vegas Outlets, and Interstate-15 to the west. The Property is zoned Limited Resort and Apartment (H-1) with an underlying master plan of Commercial Tourist. Quasi public facilities are permitted within H-1 zoned districts upon the approval of a special use permit. The Applicant has been working with all appropriate Planning and Public Works staff on this project for several months and we not anticipate any waivers of development standards at this time.

The Property is located along Las Vegas Boulevard, a heavily travelled, 100-foot right of way that acts as the entrance to Las Vegas and the Las Vegas Strip. To the east is the Las Vegas South Outlet Mall, and to the west is Interstate-15. The closest residential neighborhood is east of Las Vegas Boulevard and behind existing commercial uses. The train station and passenger terminal will not negatively impact the surrounding area. In fact, it will enhance Las Vegas as a whole and allow for easier access to and from California. Additionally, Las Vegas Boulevard has several bus stops within walking distance of the Property, providing convenient public transportation for travelers coming to and leaving from Las Vegas via the high speed train. The

As such, the project meets the goals and polices set forth in the new Urban Land Use Policies making the requested special use permit appropriate and compatible.

## 2. Design Review

The project consists of the train station itself, the train platforms and a parking garage. Access to the station will be from Las Vegas Boulevard onto Eldorado Lane. The train platforms are located along the western property line adjacent to I-15. The eastern portion of the Property will likely be utilized at a later time for commercial uses to support the train station.

The train station consists of a single building at a maximum height of 60-feet. The garage will contain 2,400 parking spaces with a maximum height of 88-feet. The majority of the garage has a maximum height of 68-feet, with the additional height for architectural features and electrical equipment. Landscaping will be provided along the entire perimeter of the Property to ensure adequate buffering and visual relief.

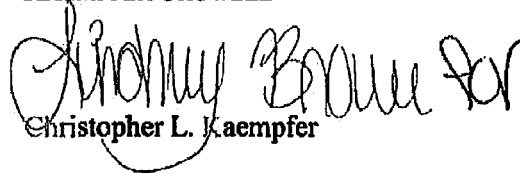
## 3. Waiver of Development Standards

Per Figure 30.64-4 a Freeway Buffer consisting of landscaping and a decorative wall is required for the proposed project. The Applicant is requesting to waive this requirement in order to match other projects along the I-15. Eliminating the wall will also provide more visibility for the proposed project as well as not interfere with the existing billboards along the freeway.

Thank you in advance for your consideration. Please do not hesitate to let me know if you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL

  
Christopher L. Kaempfer





03/04/20 BCC AGENDA SHEET

DISTRIBUTION CENTER  
(TITLE 30)

DECATUR BLVD/CC 215

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-20-0042-COUNTY OF CLARK (AVIATION):**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate freeway buffer; 2) allow attached sidewalk; 3) increased wall height; 4) alternative driveway geometrics; and 5) encroachment into airspace.

**DESIGN REVIEWS** for the following: 1) increased finished grade; and 2) a distribution center on 19 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Decatur Boulevard and the south side of the CC 215 within Enterprise. MN/nr/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-06-201-003; 177-06-201-010; 177-06-201-012; 177-06-201-022; 177-06-201-029; 177-06-201-038; 177-06-301-001; 177-06-301-002; 177-06-301-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate freeway buffer where required per Figure 30.64-4.
2. Allow an attached sidewalk where a detached sidewalk is required per Figure 30.64-17 or 30.64-18.
3. Increase wall height to 16 feet (12 foot retaining, 4 foot chain-link) where 13 feet high is allowed per Figure 30.64-4 and Section 30.64.020 (a 23% increase).
4.
  - a. Increase driveway width to 50 feet wide where 40 feet wide is the maximum allowed per Uniform Standard Drawing 222.1 (a 25% increase).
  - b. Reduce throat depth to 19 feet where 100 feet is required per Uniform Standard Drawing 222.1 (an 81% decrease).
5. Permit encroachment into airspace for a distribution center per Section 30.48.160.

**DESIGN REVIEWS:**

1. Increased the finished grade up to 7 feet 6 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 400% increase).
2. A distribution center.

**LAND USE PLAN:**

ENTERPRISE - INDUSTRIAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 19
- Project Type: Distribution center
- Number of Stories: 2
- Building Height (feet): 40
- Square Feet: Building 11 (94,500)/Building 12 (235,275)
- Parking Required/Provided: 165/370

#### Site Plan

The plan depicts a proposed 2 building, 329,775 square foot distribution center on 19 acres. Two distribution buildings are proposed parallel to Decatur Boulevard with the loading docks and drive aisle in between the buildings. Building 12 will be 235,275 square feet and 2 stories with parking located on the south, west, and north sides, of the building. Walkways for pedestrian movement are located on the south and north sides and portions of the western side of the building. Loading docks for Building 12 face east. Building 11 will be 94,500 square feet with parking on the north and south sides of the building. The loading docks for Building 11 face west. Walkways for pedestrian movement are located on the south, west, and north sides of the Building 11. A 24 foot wide fire lane is provided throughout the site for emergency access with a 64 foot wide turnaround bulb on the east side of Building 11. A 16 foot high retaining/screening wall is proposed along the eastern property line along the property boundary with the Union Pacific Railroad property. The property is accessed from 3 driveways from Decatur Boulevard.

#### Landscaping

The plans show parking lot and street landscaping per Code on the project site. A waiver is being requested for the required 8 foot high block wall with associated landscaping per Figure 30.64-4 along the CC 215 to the north of the site.

#### Elevations

The proposed 2 story warehouse buildings will be of tilt-up concrete construction with varied elevation on the roofline in order to comply with the Cooperative Management Area regulations. Each building will have various shades of earth tone colors with windows and non-roll-up doors being gray in color. A darker tan color with dark navy accents will be seen on the accent panels for each building. The proposed retaining/screening wall on the east side of the property will be 12 foot tall retaining wall with 4 foot high chain-link on the top of the wall.

#### Floor Plans

The plans depict each proposed building with future office spaces within the open shell of a warehouse building.

#### Signage

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that the proposed distribution center is an appropriate and compatible use for the area due to the location of the beltway and the railroad tracks to the east. The waiver requests are to facilitate the proposed distribution center; therefore, the increased driveway width on the southern entrance is to accommodate semi-trucks and trailers. Whereas, the applicant indicates that the reduced throat depth is due to the triangular shape of the property and states that the semi-truck traffic will be restricted to the southernmost driveway, reducing the need for a longer throat depth on the other driveways. The increased finish grade and increased wall height are due to the topography of the site and constraints of existing railroad improvements close to the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0906-07	CMA sign package for Beltway Business Park	Approved by BCC	September 2007
ZC-0089-06	Reclassified 71 acres from R-E to M-D and M-1 zoning	Approved by BCC	May 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Right of Way	Right of Way	CC 215
South	Industrial	M-1	Undeveloped
East	Rural Neighborhood Preservation (RNP-1)	R-E	Undeveloped
West	Industrial	M-D	Office warehouses

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Current Planning**  
**Waivers of Development Standards**

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

**Waivers of Development Standards #1, #2, and #3**

Staff finds that the applicant's request to eliminate the wall and landscaping from the required buffer adjacent to the freeway to be acceptable since, an 8 foot high wall will not screen the proposed 40 foot high buildings from the freeway traffic. The applicant is proposing landscaping on the north side of the building to beautify the site, and therefore, staff can support the request.

The proposed attached sidewalk can be supported by staff since, the sidewalk is already constructed on the majority of the frontage of Decatur Boulevard. The increased wall height on the east side of the property may be justified due to the existing railroad use adjacent to the property. The increased finish grade portion of the request is due to the topographic variations of the site which could require a larger retaining wall than is allowed per Code. Therefore, staff can support the requests.

#### Design Review #2

Staff finds the exterior elements of the buildings to be aesthetically pleasing; the overall design meets the CMA Design Overlay requirements. 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. Although the freeway buffer wall and landscaping are eliminated, the site landscaping does meet the intent of Title 30. Thoughtful site design, taking into account the existing conditions of the site and the surrounding area to minimize negative impacts to the area, help to make this project comply with the Comprehensive Master Plan. Therefore, staff can support design review #2.

#### **Public Works - Development Review** Waiver of Development Standards #4a

Staff finds that the increase commercial driveway width for the southernmost commercial driveway may result in driver confusion causing conflicts at the commercial driveway with vehicles stacking into the right-of-way. The applicant has not provided sufficient justification to indicate why a standard commercial driveway will not work for truck traffic.

#### Waiver of Development Standards #4b

With the volume of traffic on Decatur Boulevard, and the proximity to the 215 Beltway, the reduction in the throat depths may cause stacking in the right-of-way. Therefore, staff cannot support the request.

#### Design Review #1

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

#### **Department of Aviation**

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

Additionally, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified

Development Code, final action cannot occur until the FAA has issued an airspace determination and the Department of Aviation has reviewed the determination.

### **Staff Recommendation**

Approval of waivers of development standards #1, #2, #3 and the design reviews; denial of waiver of development standards #4.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Design review as a public hearing for any significant changes to the plans.
- 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 Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate the excess right-of-way at the southern driveway and grant the necessary easements;
- 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 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.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment

(AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Building Department - Fire Prevention**

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0032-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: MAJESTIC REALTY CO.  
CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074**



# LAND USE APPLICATION

# 16A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
  - ZONE CHANGE
    - CONFORMING (ZC)
    - NONCONFORMING (NZC)
  - USE PERMIT (UC)
  - VARIANCE (VC)
  - WAIVER OF DEVELOPMENT STANDARDS (WS)
  - DESIGN REVIEW (DR)
    - PUBLIC HEARING
  - ADMINISTRATIVE DESIGN REVIEW (ADR)
  - STREET NAME / NUMBERING CHANGE (SC)
  - WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
  - EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)
- DEVELOPMENT AGREEMENT (DA)

STAFF	DATE FILED: <u>1/16/20</u>	APP. NUMBER <u>NS-20-0042</u>
	PLANNER ASSIGNED: <u>NP</u>	TAB/CAC: <u>Enterprise</u>
	ACCEPTED BY: <u>NP</u>	TAB/CAC MTG DATE: <u>2/12</u> TIME: <u>6pm</u>
	FEE: <u>1150</u>	PC MEETING DATE: _____
PROPERTY OWNER	CHECK #: <u>00205797</u>	BCC MEETING DATE: <u>3/4/20 @ 9am</u>
	COMMISSIONER: <u>MN</u>	ZONE / AE / RNP: <u>M-1 / AE-60</u>
	OVERLAY(S)? <u>CMA</u>	PLANNED LAND USE: <u>IND</u>
	PUBLIC HEARING? <u>Y</u> N	NOTIFICATION RADIUS: <u>500</u> SIGN? Y <u>N</u>
APPLICANT	TRAILS? Y <u>N</u> PFNA? Y <u>N</u>	LETTER DUE DATE: _____
	APPROVAL/DENIAL BY: _____	COMMENCE/COMPLETE: _____
	NAME: <u>Clark County Department of Aviation</u>	
	ADDRESS: <u>P.O. Box 11005</u>	
CORRESPONDENT	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89111</u>	
	TELEPHONE: <u>702-261-3081</u> FAX: _____	
	CELL: _____ E-MAIL: _____	
	NAME: <u>Rod Martin - Majestic Realty Co.</u>	
	ADDRESS: <u>4050 W. Sunset Road, Suite H</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>	
	TELEPHONE: <u>702-896-5564</u> FAX: <u>702-896-4838</u>	
	CELL: _____ E-MAIL: <u>rmartin@majesticrealty.co</u>	
	NAME: <u>John Vornsand, AICP - Planning &amp; Zoning Entitlements</u>	
	ADDRESS: <u>62 Swan Circle</u> <u>RCI # 165449</u>	
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>	
	TELEPHONE: <u>702-896-2932</u> FAX: <u>702-896-2932</u>	
	CELL: <u>702-321-8229</u> E-MAIL: <u>landuseplanning@embar</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-06-301-001,002,-005 and 177-06-201-003,-010,-012,-038,-022,-029

PROPERTY ADDRESS and/or CROSS STREETS: Badura & Decatur Northeast Corner

PROJECT DESCRIPTION: 2 concrete tilt up industrial warehouses, Bldg 11-94,500 sf and Bldg 12-235,275 sf

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

Lisa Kremer \_\_\_\_\_  
 Property Owner (Signature)\*                      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON January 14, 2020 (DATE)  
 By Lisa Kremer, RPLM Director  
 NOTARY PUBLIC: Cody Caprice Downing

CODY CAPRICE DOWNING  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Commission Expires 12/04/2021  
 Certificate Number 00-62529-1

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

JOHN VORNSAND, AICP  
Planning & Zoning Entitlements  
62 SWAN CIRCLE  
HENDERSON, NEVADA 89074  
Phone (702) 896-2932  
Email: landuseplanning@embarqmail.com

PLANNER  
COPY

WS-20-0042

January 16, 2020

RE: Justification letter - Distribution Center - Decatur/CC 215

The applicant is requesting a Design Review and Waiver of Development Standards for a 329,775 square foot Distribution Center on the South side of the Southern Beltway (CC 215) and the East side of Decatur Boulevard and lying West of the UPRR tracks in an M-1 Zone. The distribution center consists of two buildings containing 235,275 square feet and 94,500 square feet respectively. The buildings are concrete tilt-up construction at a maximum overall height of 40 feet with loading docks located at the rear of the buildings facing internally into the project. Parking exceeds Title 30 requirements with 370 parking spaces provided where a minimum of 165 spaces are required (1:2000). Bicycle parking is proposed in conformance to Title 30 requirements. Landscaping is provided along the Decatur Boulevard frontage at a depth of 15 feet with 6 feet of landscaping provided along the North property line adjacent to the Southern Beltway. Landscaping is also provided throughout the parking areas in conformance to Title 30 requirements. A Design Review is also requested to allow the finished grade of Building 12 to exceed the standard 18" above adjacent grade. The finished grade of Building 12 is proposed at 7'6" which is 6" below the abutting property to the East which is the UPRR tracks. The additional grade is needed as the grade of the UPRR track to the East is existing and the property needs to be drained to the West toward Decatur Boulevard. The grade of the existing UPRR tracks cannot be changed.

Waivers of Development Standards are requested for the following:

- To allow an existing attached sidewalk along Decatur Boulevard to remain attached.
- A waiver to reduce the driveway throat depths is requested for two of the proposed three driveways on Decatur Boulevard. The throat depth of the centrally located driveway is proposed at 19'11" feet where a minimum throat depth of 100 feet is required. The Northernmost driveway is proposed at a throat depth of 19'8" where a minimum of 100 feet is required. The reduced throat depth is justified by the unique and unusual hardship created by the triangular shape of the property. In addition, truck traffic ingress and egress is restricted to the Southernmost driveway which exceeds the required driveway throat depths while the two driveways with reduced throat depths are restricted to passenger vehicles only.
- To allow non-standard improvements in the Decatur Boulevard right-of-way



- consisting of landscaping South of the Southernmost driveway.
- To waive the requirement for a decorative block wall adjacent to the Southern Beltway (CC 215). An existing chain link fence is presently located along the North property line and 6 feet of landscaping will also be provided along the North property line.
  - To allow the Southernmost driveway at a width of 53 feet where a maximum of 40 feet is allowed. The driveway is proposed for all truck traffic to ingress/egress the property and a driveway width greater than 40 feet is needed to allow for safe turning movements. Passenger vehicles will ingress/egress by the Central and Northernmost driveways.
  - The retaining wall along the East property line abutting the UPRR tracks is proposed at a height of 12' (twelve feet) retaining wall and a 4' (four feet) chain ~~link~~ fence where a maximum height of a six foot retainer with a six foot wall is allowed.
  - To allow the finished grade to exceed the 18" above the adjacent grade level to a height of 7'6" (seven feet and six inches).

With the Southern Beltway located to the North, the UPRR tracks to the East, and similar M-1 uses across Decatur Boulevard to the West, the proposed Distribution Center is appropriate and compatible in this area.

SINCERELY

John Vornsand, AICP

