

# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

June 11, 2019

6:30 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:**

Darby Johnson, Jr. – Chair  
Angie Heath Younce  
Rodney Bell

Yvette Williams – Vice Chair  
Catherine Godges

**Secretary:**

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

**County Liaison:**

Mike Shannon 702-455-8338 [mds@clarkcountynv.gov](mailto:mds@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 May 28, 2019 (For possible action)

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

IV. Approval of Agenda for June 11, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

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

VI. Planning & Zoning

1. **VS-19-0319-PEAKS CORPORATE PARK, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between the 215 beltway and Flamingo Road and between Hualapai Way and Grand Canyon Drive (alignment) within Spring Valley. JJ/bb/ja (For possible action) 07/02/19 PC
2. **TM-19-500090 – AMH DEVELOPMENT LLC**  
**TENTATIVE MAP** consisting of 34 single family residential lots and common lots on 5.2 acres in an R-2 (Medium Density Residential) Zone within the CMA Design Overlay District. Generally located on the west side of Buffalo Drive and the north side of Oquendo Road within Spring Valley. MN/al/ja (For possible action) 06/18/19 PC
3. **WC-19-400067 (UC-18-0033)-AHL-UL-BAYT CENTER NEVADA INC:**  
**WAIVER OF CONDITIONS** for a use permit requiring full off-site improvements in conjunction with an approved place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Mohawk Street and the south side of Quail Avenue (alignment) within Spring Valley. MN/al/ja (For possible action) 06/19/19 BCC
4. **WS-19-0360-AHL-UL-BAYT CENTER NEVADA INC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) full off-sites improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Mohawk Street; and 3) alternative driveway geometrics.  
**DESIGN REVIEW** for a place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Mohawk Street and the south side of Quail Avenue (alignment) within Spring Valley. MN/al/ja (For possible action) 06/19/19 BCC
5. **DR-19-0373-PENNANT FORT APACHE, LLC:**  
**DESIGN REVIEW** for a proposed retail building in conjunction with an approved shopping center on 0.7 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the north side of Russell Road, 490 feet west of Fort Apache Road within Spring Valley. JJ/pb/ja (For possible action) 07/02/19 PC

6. **NZC-19-0402-PROTO, MICHAEL C. & EGLANTINE M. & PROTO, MICHAEL R. & CHARLENE R.:**  
**ZONE CHANGE** to reclassify 15.8 acres from C-2 (General Commercial) Zone and C-2 (General Commercial) (AE-60) Zone to R-4 (Multiple Family Residential - High Density) Zone and R-4 (Multiple Family Residential - High Density) (AE-60) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative parking lot landscaping.  
**DESIGN REVIEW** for a proposed multi-family residential development in the CMA Design and MUD-3 Overlay Districts. Generally located on the north side of Maule Avenue and the west side of Buffalo Drive within Spring Valley (description on file). MN/pb/ma (For possible action) **07/02/19 PC**
7. **TM-19-500107-WH PROPERTIES, LLC:**  
**TENTATIVE MAP** for a commercial subdivision on 8.8 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Oquendo Road and Rosanna Street within Spring Valley. MN/jor/ma (For possible action) **07/02/19 PC**
8. **UC-19-0389-BLE HOLDINGS, LLC:**  
**USE PERMITS** for the following: **1)** on-premises consumption of alcohol (supper club); **2)** reduce the separation between a proposed supper club and an existing single family residential development; and **3)** live entertainment in conjunction with a restaurant.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the number of parking stalls within an existing retail center on 1.6 acres in a C-1 (Local Business) Zone. Generally located on the northwest corner of Durango Drive and Rochelle Avenue within Spring Valley. MN/jor/ja (For possible action) **07/02/19 PC**
9. **UC-19-0396-TOLL SOUTH LV, LLC:**  
**USE PERMIT** for a modified front setback reduction.  
**DESIGN REVIEW** for a partially constructed single family residential subdivision on portions of 110.7 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone in the Summerlin South Master Planned Community. Generally located on the north side of Maule Avenue and the west side of Grand Canyon Drive within Spring Valley. JJ/rk/ja (For possible action) **07/02/19 PC**
10. **WS-19-0371-SUNSET & DURANGO PARTNERS, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase the height of a freestanding sign; **2)** wall sign letter height; **3)** animated signage; **4)** neon signage; **5)** increase the projection of signs from side of building; and **6)** roof sign.  
**DESIGN REVIEW** for a comprehensive sign plan in conjunction with a proposed shopping center on 4.8 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the north side of Sunset Road, 400 feet west of Durango Drive within Spring Valley. JJ/sd/ja (For possible action) **07/02/19 PC**

11. **WS-19-0372-VESICA ALLIANCE LTD:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase the height of a freestanding sign; **2)** increase average letter height of a wall sign, and **3)** permit neon signage.  
**DESIGN REVIEW** for a comprehensive sign plan in conjunction with a proposed commercial building on 4.8 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the north side of Sunset Road, and east side of Riley Street within Spring Valley. JJ/sd/ja (For possible action) **07/02/19 PC**
12. **WS-19-0395-OBERC ELENA M:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the rear setback for an existing accessory structure (detached covered patio) in conjunction with a single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Thunder Rapids Court, 290 feet west of Marsh Butte Street within Spring Valley. JJ/rk/ja (For possible action) **07/02/19 PC**
13. **ET-19-400060 (NZC-0857-13)-HAND PROPERTY HOLDING COMPANY:**  
**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 5.1 acres from R-E (Rural Estates Residential) Zone, under resolution of intent to R-3 (Multiple Family Residential) Zone and C-1 (Local Commercial) Zone to R-4 (Multiple Family Residential) Zone.  
**USE PERMIT** for a senior housing facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased building height; **2)** eliminate or reduce screening and landscape buffer requirements; **3)** reduced parking; and **4)** reduced required open space requirements.  
**DESIGN REVIEW** for a senior housing facility. Generally located on the north side of Flamingo Road, 660 feet west of Durango Drive within Spring Valley (description on file). JJ/bb/ja (For possible action) **07/03/19 BCC**
14. **UC-19-0301-UL 215, LLC & UW 215, LLC:**  
**USE PERMITS** for the following: **1)** a temporary outdoor commercial event (San Gennaro Feast); **2)** allow live entertainment after daytime hours; and **3)** allow temporary signs for longer than allowed on 20.4 acres in a C-2 (General Commercial) Zone within the CMA Design and MUD-2 Overlay Districts. Generally located on the south side of Sunset Road and the east side of Rafael Rivera Way within Spring Valley. JJ/sd/ja (For possible action) **07/03/19 BCC**
15. **WS-19-0391-GALL, STEEVEN & KARINE:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the net and gross lot area; and **2)** reduce street intersection off-set.  
**DESIGN REVIEW** for increased finish grade on 2.5 acres in an R-E (Rural estates Residential) (AE-60) Zone. Generally located on the southwest corner of Oquendo Road and Bronco Street within Spring Valley. MN/sd/ja (For possible action) **07/03/19 BCC**

VII. General Business

1. None

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

IX. Next Meeting Date: June 25, 2019

X. Adjournment

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

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<https://notice.nv.gov/>

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



EASEMENTS  
(TITLE 30)

FLAMINGO RD/GRAND CANYON DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0319-PEAKS CORPORATE PARK, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between the 215 beltway and Flamingo Road and between Hualapai Way and Grand Canyon Drive (alignment) within Spring Valley. JJ/bb/ja (For possible action)

RELATED INFORMATION:

**APN:**  
163-18-413-002; 163-18-414-005 through 163-18-414-009

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a drainage easement that is no longer needed as identified in drainage study PW18-19560UP. The existing 10 foot drainage easement is located along the eastern edge of APN: 163-18-413-002 and 163-18-414-006. The applicant states that this easement is no longer needed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-18-0457	Office complex with multiple freestanding signs	Approved by BCC	August 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban	R-3	Multiple-Family Residential (18 units per acre)
South	Commercial General	C-2	General Commercial
East			
West	Commercial General	C-1	Local Business

**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.

**Building Department - Fire Prevention**

- No comment.

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

- No objection.

TAB/CAC: Spring Valley

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PEAKS CORPORATE PARK, LLC

**CONTACT:** TED EGERTON, LOCHSA ENGINEERING, 6345 S. JONES BLVD. #100, LAS VEGAS, NV 89118



06/18/19 PC AGENDA SHEET

BUFFALO & OQUENDO  
(TITLE 30)

BUFFALO DR/OQUENDO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-19-500090 – AMH DEVELOPMENT LLC**

**TENTATIVE MAP** consisting of 34 single family residential lots and common lots on 5.2 acres in an R-2 (Medium Density Residential) Zone within the CMA Design Overlay District.

Generally located on the west side of Buffalo Drive and the north side of Oquendo Road within Spring Valley. MN/al/ja (For possible action)

RELATED INFORMATION:

**APN:**  
163-33-501-015

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

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

- Site Address: N/A
- Site Acreage: 5.2
- Number of Lots/Units: 34
- Density (du/ac): 6.5
- Minimum/Maximum Lot Size: 4,001/4,687 (net/gross are the same)
- Project Type: Single family residential development

The plans depict a proposed single family residential development consisting of 34 lots on 5.2 acres for a density of 6.5 dwelling units per gross acre. The proposed lot sizes range from 4,001 square feet to 4,687 square feet. All lots will have access from an internal street network consisting of 43 foot wide private streets with a 5 foot wide sidewalk on 1 side of the street. The internal street network connects to Buffalo Drive which is a public street. All the adjacent public streets will be developed with full off-site improvements.

TM-15-500119 was approved for a similar single family residential development on this site. This application was filed to address modifications to the boundary of the residential development, which includes additional area added to the site with the vacation of a portion of Buffalo Drive (VS-18-0638).

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0161	Increased finished grade for a single family residential development	Approved by BCC	April 2019
VS-18-0638	Vacated and abandoned a portion of right-of-way being Buffalo Drive	Approved by PC	October 2018
ZC-18-0509	Reclassified the project site to R-2 zoning for a single family residential development	Approved by BCC	August 2018
VS-18-0502	Vacated and abandoned easements	Approved by BCC	August 2018
TM-18-500119	Single family residential development	Approved by BCC	August 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	R-E	Undeveloped
East	Office Professional	R-2 & C-P	Single family development & undeveloped
South	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
West	Residential Suburban (up to 8 du/ac)	R-1	Single family development

This property is located within the Cooperative Management Agreement (CMA) Design Overlay District.

**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 McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- Expunge TM-18-500119.
- 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**

- Compliance with approved drainage study;
- Compliance with approved traffic study;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

### **Current Planning Division - Addressing**

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

### **Department of Aviation**

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

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

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0318-2018 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AMH DEVELOPMENT, LLC

**CONTACT:** JANNA FELIPE, 6030 SOUTH JONES BLVD, LAS VEGAS, NV 89118

**DRAFT**

3

06/19/19 BCC AGENDA SHEET

PLACE OF WORSHIP  
(TITLE 30)

MOHAWK ST/QUAIL AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-19-400067 (UC-18-0033)-AHL-UL-BAYT CENTER NEVADA INC:**

**WAIVER OF CONDITIONS** for a use permit requiring full off-site improvements in conjunction with an approved place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Mohawk Street and the south side of Quail Avenue (alignment) within Spring Valley. MN/al/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-36-501-015

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 7,642
- Parking Required/Provided: 78/163

Background

This site was approved for use as a place of worship by UC-18-0033 by the Board of County Commissioners (BCC) in August 2018. However, the design review portion of this request was not approved by the BCC due to concerns about the impacts of the proposed project on the abutting single family residences. UC-18-0033 was approved with a condition for full off-site improvements in conjunction with the place of worship and the applicant was directed to work with the neighbors and return with a new plan for the project. The applicant indicates that there have been several meetings with the neighbors to redesign the project and that WS-19-0360 has been submitted to seek approval of the new design for the project. During the meetings with the

neighbors abutting property owners expressed a desire for the streets to be developed to rural standards, which requires this application to waive the condition for full off-site improvements.

#### Site Plans

The plans show a proposed place of worship located approximately 135 feet from the east (front) property line, 80 feet from the south (side) property line, and 60 feet from the west (rear) property line. An outdoor play area enclosed by a 5 foot high decorative metal fence is located to the north of the place of worship building. Access to the site is from Mohawk Street. Enhanced paving is provided at the driveway entrance. A total of 163 parking spaces are provided around the building where a minimum of 78 spaces are required.

#### Landscaping

Street landscaping along Mohawk Street consists of a 10.5 foot wide landscape area with an attached sidewalk. A 10.5 foot wide intense landscape buffer is provided along the west and south property lines per Figure 30.64-12. An 8.5 foot wide landscape area with trees every 20 feet is provided along the north property line. The landscape palette consists of Holly Oak, Mondel Pine, Cypress Pine, and Canary Island Date Palm trees with various shrubs and groundcover.

#### Elevations

The plans depict a 1 story, up to 30 foot high, place of worship constructed of painted stucco, porcelain tile accents, polished stone, decorative metal screens, aluminum frame windows, and wall mounted light fixtures. The roof is flat with parapet walls at varying heights. The architectural tower is 30 feet high and located at the northeast portion of the building; however, the majority of the building is between 14 feet and 20 feet.

#### Floor Plans

The plans show a 7,642 square foot place of worship consisting of a worship hall, multi-purpose room, library, classrooms, office area, restrooms, and a 1 bedroom clergy living quarter. An outdoor landscaped meditation courtyard is located at the center of the building.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0033:

#### Current Planning

- Design review as a public hearing for any design of the place of worship;
- Site lighting may consist of a combination of pole mounted lights or bollard lighting;
- Pole mounted lights to be a maximum of 15 feet high with motion sensors;
- Exterior building lighting to consist of wall sconces, recessed up-lights, or accent lighting;
- All lighting to be shielded or directed as required by Title 30;
- Block walls to be composed of decorative split faced block;
- No leasing of the parking lot for sporting or special events shall be permitted;
- Certificate of Occupancy and/or business license shall not be issued without a 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Mohawk Street.

#### Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

#### Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; show fire hydrant locations on-site and within 750 feet; 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 completed for this project; email sewerlocation@cleanwaterteam.com and reference POC Tracking #0036-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the Board of County Commissioners approved UC-18-0033 to develop this site as a place of worship; however, the design review portion of that request was denied. UC-18-0033 was approved with a condition to provide full off-site improvements. There have been several neighborhood meetings to redesign the facility, which includes reducing the size of the building, relocating the entrance to the site, providing a wall around the perimeter of the site, and developing the adjacent streets to rural standards. The proposed changes are substantial from the original plans submitted for this facility and do not comply with the condition for full off-site improvements. The proposed changes are the result of the applicant's desire to be a good neighbor by working with the abutting property owners to provide adequate buffering.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0033	Place of worship	Approved by BCC	August 2018
ZC-1111-08	Established the RNP-I Overlay District	Approved by BCC	February 2009

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
WS-19-0360	A waiver of development standards with a design review for a place of worship is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school.



**Staff Recommendation**

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

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

**Public Works - Development Review**

- Execute a Restrictive Covenant Agreement (deed restrictions).

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** AHL-UL-BAYT CENTER OF NEVADA

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



06/19/19 BCC AGENDA SHEET

PLACE OF WORSHIP  
(TITLE 30)

MOHAWK ST/QUAIL AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0360-AHL-UL-BAYT CENTER NEVADA INC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) full off-site improvements (partial paving, curb, gutter, sidewalk and streetlights) along Mohawk Street; and 3) alternative driveway geometrics.

**DESIGN REVIEW** for a place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Mohawk Street and the south side of Quail Avenue (alignment) within Spring Valley. MN/al/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-36-501-015

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Permit a 6 foot high wall within the setback along a street in conjunction with a special use (place of worship) where a maximum 3 foot high wall is permitted per Section 30.64.020 (a 100% increase).
2. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Mohawk Street where full off-site improvements are required per Section 30.52.050.
3.
  - a. Allow an alternative driveway design where a curb return driveway per Uniform Standard Drawing 222.1 is required.
  - b. Permit a 24 foot wide driveway where a minimum driveway width of 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
  - c. Reduce throat depth to 50 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 50% reduction).

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 7,642
- Parking Required/Provided: 78/163

#### Site Plans

The plans show a proposed place of worship located approximately 135 feet from the east (front) property line, 80 feet from the south (side) property line, and 60 feet from the west (rear) property line. An outdoor play area enclosed by a 5 foot high decorative metal fence is located to the north of the place of worship building. Access to the site is from Mohawk Street. Enhanced paving is provided at the driveway entrance. A total of 163 parking spaces are provided around the building where a minimum of 78 spaces are required.

#### Landscaping

Street landscaping along Mohawk Street consists of a 10.5 foot wide landscape area with an attached sidewalk. A 10.5 foot wide intense landscape buffer is provided along the west and south property lines per Figure 30.64-12. An 8.5 foot wide landscape area with trees every 20 feet is provided along the north property line. The landscape palette consists of Holly Oak, Mondel Pine, Cypress Pine, and Canary Island Date Palm trees with various shrubs and groundcover.

#### Elevations

The plans depict a 1 story, up to 30 foot high, place of worship constructed of painted stucco, porcelain tile accents, polished stone, decorative metal screens, aluminum frame windows, and wall mounted light fixtures. The roof is flat with parapet walls at varying heights. The architectural tower is 30 feet high and located at the northeast portion of the building; however, the majority of the building is between 14 feet and 20 feet.

#### Floor Plans

The plans show a 7,642 square foot place of worship consisting of a worship hall, multi-purpose room, library, classrooms, office area, restrooms, and a 1 bedroom clergy living quarter. An outdoor landscaped meditation courtyard is located at the center of the building.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates that the Board of County Commissioners approved UC-18-0033 to develop this site as a place of worship; however, the design review portion of that request was

denied. There have been several neighborhood meetings to redesign the facility, which includes reducing the size of the building, relocating the entrance to the site, and providing a wall around the perimeter of the site. The proposed changes are substantial from the original plans submitted for this facility and are the result of the applicant's desire to be a good neighbor by working with the abutting property owners to provide adequate buffering.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0033	Place of worship	Approved by BCC	August 2018
ZC-1111-08	Established the RNP-I Overlay District	Approved by BCC	February 2009

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
WC-19-400067 (UC-18-0033)	A waiver of conditions for full off-site improvements in conjunction with a place of worship is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

### Waiver of Development Standards #1

This site is located in an R-E zoned district which requires a 40 foot front yard setback from a street. Section 30.64.020 requires that walls and fences for a place of worship (special use) within the required setback from a street be a maximum of 3 feet in height. The applicant has met with abutting property owners, who have requested a wall that is high enough to reduce impacts from this site on the abutting properties. The plans depict a 10 foot landscape area between the proposed wall and the street. If this site were in a commercial zoning district the required setback from the street would be a minimum of 10 feet. The existing single family residences abutting this site are allowed to have a 6 foot high decorative fence within 15 feet of the front property line. The wall with landscaping is similar to what would be allowed for a commercial development and provides a greater setback and buffer to the street than required for the existing single family homes in the area. Additionally, this proposed wall is being requested by abutting property owner to mitigate the impacts from this facility on the area. Staff finds that the proposed wall complies with the intent of the Code to buffer the place of worship from the abutting single family residences and supports this request.

### Design Review

Staff finds that the proposed place of worship is designed to be sensitive to the residential properties in the area. The building is 1 story and is in scale with the surrounding existing residences in the neighborhood which are a combination of 1 and 2 story homes. The place of worship is also located on the central portion of the property and will exceed minimum setback requirements. An intense landscape buffer is provided along the west and south property lines to buffer and screen the adjacent residential planned properties; therefore, the project complies with Urban Specific Policy 32 of the Comprehensive Master Plan which encourages specific buffering between existing residential areas and more intense land use designations. Provided parking exceeds parking requirements by 85 spaces to help ensure that vehicle parking will not spillover into the neighborhood. The place of worship building contains architectural detail on all sides of the building; therefore, complies with Urban Specific Policy 78 which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. For these reasons, staff can support the design review.

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

#### Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

#### Waiver of Development Standards #3

If the waiver for full off-site improvements are approved then staff has no objection to the request for the alternative driveway design.

### **Department of Aviation**

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

### **Staff Recommendation**

Approval of waivers of development standards #1 and #3, and the design review; and 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;
- Right-of-way dedication to include 30 feet for Mohawk Street;
- Execute a Restrictive Covenant Agreement (deed restrictions).

#### **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**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0150-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AHL-UL-BAY CENTER OF NEVADA, LLC

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



07/02/19 PC AGENDA SHEET

RETAIL BUILDING  
(TITLE 30)

RUSSELL RD/FORT APACHE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-19-0373-PENNANT FORT APACHE, LLC:**

**DESIGN REVIEW** for a proposed retail building in conjunction with an approved shopping center on 0.7 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District.

Generally located on the north side of Russell Road, 490 feet west of Fort Apache Road within Spring Valley. JJ/pb/ja (For possible action)

---

RELATED INFORMATION:

**APN:**  
163-30-818-002

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.7
- Project Type: Retail building with a drive-thru
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 4,500
- Parking Required/Provided: 18/18 (Pad A)/348/365 (shopping center)

Site Plans

The plans depict a 4,500 square foot retail building located on the southwestern 0.7 acre portion of an approved shopping center on 8.9 acres. A drive-thru lane is located on the western and southern sides of the building with the entrance located on the northwestern side of the building and the exit located on the southeastern side of the building. The drive-thru window is located on the south side of the building. An outside dining area is located on the eastern side, near the southern end of the building. The loading area and trash enclosure are located to the north of the building and the parking spaces are located to the north and east of the building. The site has shared access with the shopping center on the adjacent land to the north and east providing access to Russell Road and Fort Apache Road. The plans also show enhanced pedestrian areas

through the parking lot connecting the retail building with the adjacent sidewalk on Russell Road and the other portions of the shopping center.

**Landscaping**

The plans depict a 15 foot landscape area adjacent to an attached sidewalk along Russell Road which was approved with the previous design review for Phase I of the shopping center. A 12 foot wide landscape area is located along the western property line and additional landscaping is located adjacent to the building. Interior parking lot trees are distributed throughout the site.

**Elevations**

The plans depict a single story building with a flat roof and parapet walls ranging in height from 24 feet to 29 feet, 6 inches. The elevations include painted stucco, decorative stone, large windows, and metal accents. The drive-thru window is located on the southern side of the building.

**Floor Plans**

The plans depict a 4,500 square foot building divided into 3 suites.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates the design of the building will match the previously approved buildings within the shopping center.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-0959-17	Proposed commercial buildings on a portion of 8.9 acres	Approved by PC	December 2017
TM-0469-02	1 lot commercial subdivision	Approved by PC	December 2002
ZC-1202-97	Reclassified the western 5 acres of the shopping center from R-E to C-2 zoning for a future shopping center	Approved by BCC	August 1997
ZC-1634-96	Reclassified the eastern 5 acres of the shopping center from R-E to C-2 zoning for a future shopping center	Approved by BCC	November 1996

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Commercial General	C-2	Portions of the previously approved shopping center
South	Commercial General	C-2	Pharmacy & offices
West	Residential High (8 du/ac to 18 du/ac)	R-4	Senior housing under construction

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff finds the proposed commercial building complies with Commercial Policy 67 of the Comprehensive Master Plan which states that site planning and building design of commercial developments should be compatible with abutting uses through the use of appropriate buffers, setbacks, landscaping, building height, and materials. The architectural materials and varying roofline utilized on the exterior of the building creates a cohesive and quality commercial development compatible with the approved buildings on the eastern portion of the approved shopping center. Therefore, staff has no objection to the development proposal.

**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**

- 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.
- Applicant is advised that compliance with the Uniform Standard Drawings is required.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0251-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PENNANT FORT APACHE, LLC  
**CONTACT:** LIZ DELK, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE  
650, LAS VEGAS, NV 89135

**DRAFT**

07/02/19 PC AGENDA SHEET

MULTI-FAMILY RESIDENTIAL  
(TITLE 30)

MAULE AVE/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-19-0402-PROTO, MICHAEL C. & EGLANTINE M. & PROYO, MICHAEL R. & CHARLENE R.:**

**ZONE CHANGE** to reclassify 15.8 acres from C-2 (General Commercial) Zone and C-2 (General Commercial) (AE-60) Zone to R-4 (Multiple Family Residential - High Density) Zone and R-4 (Multiple Family Residential - High Density) (AE-60) Zone.

**WAIVER OF DEVELOPMENT STANDARDS** for alternative parking lot landscaping.

**DESIGN REVIEW** for a proposed multi-family residential development in the CMA Design and MUD-3 Overlay Districts.

Generally located on the north side of Maule Avenue and the west side of Buffalo Drive within Spring Valley (description on file). MN/pl/ma (For possible action)

---

RELATED INFORMATION:

**APN:**

176-04-601-015 through 176-04-601-017

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow a surface parking lot without interior parking lot trees where required per Figure 30.64-14 and per Section 30.60.050.

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15.8
- Number of Lots/Units: 344
- Density (du/ac): 21.8
- Project Type: Multi-family residential apartments
- Number of Stories: 2 and 3
- Building Height (feet): Up to 35
- Open Space Required/Provided: 34,400/62,069
- Parking Required/Provided: 626/626

### **Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on May 14, 2019, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. One neighbor attended the meeting. The neighbor did not express any concerns about the project. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a nonconforming zone boundary amendment.

### **Site Plans**

The plans depict a multiple family residential development consisting of 344 dwelling units with a density of 21.8 dwelling units per acre. The apartment complex will have a total of 20 buildings including 4 carriage unit buildings with garages, covered parking structures, a clubhouse building, and 2 pools. Access to the site will be from Maule Avenue. The complex will have 62,069 square feet of open space with an active recreational area to include swimming pools, a tot lot, and dog park.

### **Landscaping**

A 15 foot wide landscape area with a detached sidewalk is located along Maule Avenue. A 15 foot wide landscape area is located along the eastern property line adjacent to the 215 Beltway/Buffalo Drive off-ramp and a 10 foot wide landscape area is located along the north and west property lines. Additional landscaping is located adjacent to the apartment buildings and clubhouse. A total of 62,069 square feet of open space is provided including the pool and spa area located behind the clubhouse on the eastern portion of the site and another pool area with additional open space amenities located on the western portion of the site. A combination of decorative fencing and decorative walls surround the site. No interior parking lot trees are shown on the site as required by Code.

### **Elevations**

The plans depict multiple building types for the apartments between 34 feet and 35 feet in height. There are four 2 story carriage unit buildings with garages that are 24 feet in height. The clubhouse building is a single story building up to 26 feet in height. All of the buildings have a similar architectural facade including flat roofs with parapet walls and pop-outs that create a varied roofline, stucco siding, decorative panels, railings, and deck fascia.

### **Floor Plans**

The plans depict multiple building types with 1, 2, and 3 bedroom units. The 4 carriage unit buildings include garages on the first floor and living space on the second floor. The clubhouse building is 7,330 square feet consisting of a leasing area, offices, lounge, exercise room, mail room, and restrooms.

### **Signage**

Signage is not a part of this request.

### **Applicant's Justification**

The applicant states that the multiple family development is compatible with the existing uses in the surrounding area which includes other multiple family developments to the south and west of

the site. The proposed project will blend well with the surrounding developments and be consistent with the surrounding neighborhoods.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0483-06	Temporary batch plant on a portion of the site	Approved by PC	May 2006
ZC-1114-04	Reclassified the eastern portion of the site from R-E to C-2 zoning for an office/retail facility	Approved by BCC	July 2004
ZC-1360-03	Reclassified the western portion of the site from R-E to C-2 zoning for future commercial development	Approved by BCC	October 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & C-2	215 Beltway & undeveloped
South	Business and Design/Research Park	R-3 & R-E	Multiple family residential development & undeveloped parcels
East	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	U-V	Mixed use project under development

**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 nonconforming zone change amendment ordinance requires that the applicant provide compelling justification that approval of the nonconforming zoning is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below for proposed nonconforming zone boundary amendments:

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 applicant indicates there are similar developments in the area; therefore, the proposed development is appropriate for the area. There is a multiple family residential development to the southwest of this site in an R-3 zone. The development was constructed in 2004 prior to the current Spring Valley Land Use Plan which was adopted in 2014. The adjacent site to the west

has been approved for a mixed use project in a U-V zone and other mixed use and multiple family residential uses have been developed farther to the south of the subject site. When this site was designated for Business and Design/Research Park development in the land use plan in 2014, these existing and approved developments were considered for compatibility to future development on this site. Although the current policies in the Comprehensive Master Plan were adopted after the Spring Valley Land Use Plan was amended in October 2014, the existing and approved development in the area was established prior to the 2014 adoption of the Spring Valley Land Use Plan, therefore, staff finds that there has been no change in law, policies, or facts that have substantially changed the character or condition of the area.

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

The applicant indicates the density and intensity of this project are compatible with the existing developments in the area. The proposed project is a multiple family residential development with a density of 21.8 dwelling units per acre. The multiple family development to the southwest is in an R-3 zone with a density of 18 dwelling units per acre. Staff does not find an R-4 zoned development with a density of over 21 units per acre to be compatible with an existing residential development at 18 units per acre. The adjacent mixed use project was approved under different design criteria than multiple family residential developments. The density of mixed use projects is based on the design of the projects and specific requirements allow for increases in density. This mixed use project was designed in conformance to Title 30 and since it is not a residential development, it should not be used to justify approval of a nonconforming zone change.

- 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.*

Although the service providers who have replied to staff indicated that there will be no substantial adverse effects on public facilities and services, staff finds that 344 residential units added to this area will have impacts that were not anticipated when the Spring Valley Land Use Plan was adopted.

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

Although the design of the project may conform to several Urban Specific Policies related to the design of multiple family residential development, this is a request for a nonconforming zone change which conflicts with Land Use Goal 1 of the Comprehensive Master Plan that encourages the implementation of 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. Furthermore the request conflicts with Urban Specific Policy 8 that discourages nonconforming zone changes and Urban Specific Policy 95 which discourages residential developments, including mixed use development in business and research park categories.



## **Summary**

### **Zone Change**

Staff finds that there has been no change in law, policies, or facts that have substantially changed the character or condition of the area. Staff is also concerned with the potential incompatibility between this development and planned land uses in the area. The issue of establishing a multi-family residential development in the immediate area through a nonconforming zone change and not part of a comprehensive land use plan update will have adverse impacts to the immediate area. Unexpected land use patterns may have significant impacts on traffic, noise, and lighting that may lead to dramatic changes in the existing area. Furthermore, this request conflicts with goals and polices in the Comprehensive Master Plan described above. Therefore, staff finds the applicant has neither demonstrated nor satisfied the criteria for compelling justification to merit approval of the application.

Staff finds that a more sound and predictable approach to consider this proposed zoning would be through a comprehensive land use plan update which is currently in process. A land use plan update allows for more public review of the proposed land use intensity and pattern and ensures a predictable consideration of the range of uses with corresponding impacts and a cohesive and uniform land use pattern in the surrounding area.

### **Waiver of Development Standards & Design Review**

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

The purpose of providing landscaping is to improve air quality and the visual image of the property and community. Landscaping helps with the reduction of dust, noise, glare, and heat. Landscape areas also assist with wind control and minimize water runoff. Staff finds that the design of the parking lot with the requested waiver of development standards conflicts with Urban Specific Policy 91 of the Comprehensive Master Plan which encourages enhanced landscaping (trees) at the interior parking areas to provide shade and visual relief. Therefore, staff cannot support this request.

### **Design Review**

Approval of the design review is contingent upon the approval of the zone change and waiver of development standards. Since staff does not support the zone change or the waiver of development standards, staff cannot support the design review. Furthermore, the plans depict a parking arrangement that includes long rows of buildings and parking which conflicts with Urban Specific Policy 54 which encourages the arrangement of parking areas, garages, and/or covered parking into courts to avoid creating long corridors of parking areas and encourage multi-level parking garages. The policy also promotes the layout and design of multiple family buildings to be oriented in varying directions relative to each other, to avoid the monotony of a linear pattern and to provide a variety of parking options for the residents.

### **Department of Aviation**

As presented at the pre-application meeting for PRE-19-100015 on May 2, 2019, the currently planned land use designation is Business Design and Research Park (BDRP) and the current zoning is General Commercial District (C-2), both of which permit many airport-compatible uses. The proposed zoning of Multiple Family Residential (R-4, high density), would significantly increase the number of residences impacted by aircraft overflights. Due to this fact, this request is incompatible with current and future noise levels present at this location. Parcels 176-04-601-016, 017, and a portion of 015, lie within the AE-60 (60 - 65 DNL) noise contour for McCarran International Airport and are subject to continuing aircraft noise and over-flights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand. Due to these facts, this non-conforming zone change is incompatible with current and future noise levels present at this location.

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 7, 2019 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing for significant changes to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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 feet to the back of curb for Maule Avenue and associated spandrel.
- Applicant is advised that the gates must open into the site; 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**

- If approved, for that portion located in the AE-60, 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;
- If approved, for that portion located in the AE-60, 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;
- If approved, for that portion located in the AE-60, 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;
- If approved, for that portion located in the AE-60, 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 and 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**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0200-2019 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** NEVADA WEST PARTNERS V, LLC  
**CONTACT:** LINDSAY BROWN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135



7

07/02/19 PC AGENDA SHEET

RAINBOW AND OQUENDO  
(TITLE 30)

ROSANNA ST/OQUENDO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-19-500107-WH PROPERTIES, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 8.8 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Oquendo Road and Rosanna Street within Spring Valley. MN/jor/ma (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-34-601-042 thru 163-34-601-045

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

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

- Site Acreage: 8.8
- Number of Lots: 1
- Project Type: Commercial subdivision

The plans depict a proposed 1 lot commercial subdivision on 8.8 acres located south of Oquendo Road, east of Rosanna Street. Access to the site is provided by 3 driveways with the first being on the northeast corner of the parcel (along Oquendo Road), the second is along Rosanna Street (west property line), and the third is on the southeast corner of the parcel along Patrick Lane (south property line). Existing office buildings and parking stalls are located on the north and center sections of the rectangular shaped subdivision.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0248	Vacated driveway approaches along Oquendo Road and Patrick Lane	Approved by PC	May 2018
DR-0440-07	Office complex	Approved by BCC	June 2007
VS-1813-05	Vacated a portion of right-of-way being 5 feet of excess right-of-way along Rainbow Boulevard and Patrick Lane	Approved by PC	January 2006

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1514-05	Allowed a recreational vehicle storage in conjunction with a proposed mini-warehouse facility, waivers for alternative design and exterior materials, design review for a mini-warehouse facility and associated signage, and waiver of conditions of a zone change (ZC-1740-04) requiring the mini-warehouse facility to have consistent architectural treatments shown on the office and retail buildings - expired	Approved by BCC	November 2005
ADR-0719-05	Building revisions due to unexpected drainage issue	Administratively Approved	June 2005
ZC-1740-04	Reclassified 11.3 acres from R-E zoning to C-2 zoning and a design review for a retail and office center and a mini-warehouse facility.	Approved by BCC	November 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped parcel
South	Commercial General	C-2	Office complex
East	Commercial General	C-2	Undeveloped parcels, shopping center, fast food restaurant, gasoline station with convenience store, & vehicle repair
West	Public Facilities and Residential Suburban (up to 8 du/ac)	R-E & R-2	Place of worship & single family residences

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning**

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

**Staff Recommendation  
Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Current Planning Division - Addressing**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; you may find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** WH PROPERTIES, LLC

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





8

07/02/19 PC AGENDA SHEET

SUPPER CLUB AND LIVE ENTERTAINMENT  
(TITLE 30)

DURANGO DR/ROCHELLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0389-BLE HOLDINGS, LLC:

**USE PERMITS** for the following: **1)** on-premises consumption of alcohol (supper club); **2)** reduce the separation between a proposed supper club and an existing single family residential development; and **3)** live entertainment in conjunction with a restaurant.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the number of parking stalls within an existing retail center on 1.6 acres in a C-1 (Local Business) Zone.

Generally located on the northwest corner of Durango Drive and Rochelle Avenue within Spring Valley. MN/jor/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-20-519-001 thru 004

**USE PERMITS:**

1. Allow on-premises consumption of alcohol (supper club) where permitted by Table 30.44-1.
2. Reduce the separation between a proposed supper club and an existing single family residential development to 15 feet where 200 feet is required (a 93% reduction).
3. Allow live entertainment (piano, jazz band, and singers) within the interior area of the restaurant permitted by Table 30.44-1.

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the number of parking stalls to 74 where 105 is required per Table 30.60-1 (a 29% reduction).

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4275 S. Durango Drive
- Site Acreage: 1.6
- Project Type: Supper club with live entertainment
- Number of Stories: 1

- Building Height (feet): 30 feet, 6 inches
- Square Feet: 5,489
- Parking Required/Provided: 106/74

#### Site Plan

In 2004, a commercial retail center with 3 buildings was approved on 1.6 acres on the northwest corner of Durango Drive and Rochelle Avenue per DR-1762-04. The building locations include 1 building on the north and south ends of the site, and a centrally located building. The north parking lot includes 36 parking stalls, and the south parking lot (adjacent to the proposed supper club) includes 38 parking stalls. Access to the site is provided by 2 driveways, 1 on the northeast corner and 1 on the southeast corner of the subject property. Per the submitted plans and site research, the site does not provide cross access between the existing buildings. The proposed supper club is located within the southernmost building north of Rochelle Avenue and west of Durango Drive. Previous use permits were approved for a supper club with live entertainment and a service bar for the same location. Since the previous use permits expired, the applicant is requesting to allow a supper club with indoor live entertainment. Lastly, the applicant is also requesting approval of the waiver to reduce the number of parking stalls required for their proposed supper club.

#### Landscaping

Existing landscaping is located throughout the site and is not a part of or required with this request.

#### Elevations

The submitted photos show a single story building with exterior finishes which include neutral toned stucco walls, tiered stucco pop-out accents, black aluminum door and window systems, stucco columns, and a varied roofline on the northeast corner of the building.

#### Floor Plans

The floor plan depicts a lobby area, dining room, bar, kitchen, office, restrooms, utility room, and a storage area.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

Per the submitted justification letter, Chianti Italian Restaurant is a full-service Italian restaurant offering affordable and high quality cuisine for the local community. The proposed location is ideal for the restaurant because it is adjacent to other commercial businesses and in close proximity to residential neighborhoods. Per the applicant, the operating hours will be from Tuesday through Thursday, 3:00 p.m. to 9:00 p.m., Friday to Saturday from 11:00 a.m. to 11:00 p.m., and Sunday from 11:00 a.m. to 9:00 p.m. (with the flexibility to change hours).

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0769-16	Allowed on-premises consumption of alcohol (supper club), reduced separation between a supper club and a residential use, and live entertainment in conjunction with an existing restaurant – expired	Approved by PC	December 2016
UC-0861-15	Allowed on-premises consumption of alcohol (service bar) in conjunction with a restaurant - expired	Approved by PC	February 2016
UC-0654-12	Allowed on-premises consumption of alcohol (service bar) and reduced the separation between an outside dining/drinking area and a residential use – expired	Approved by PC	December 2012
UC-0486-11	Allowed a recreational facility (children's play area)	Approved by PC	December 2011
UC-0723-09	Allowed on-premises consumption of alcohol (supper club) and reduced separation between a supper club and a residential use in an existing restaurant – expired	Approved by PC	January 2010
UC-0696-09	Allowed packaged liquor alcohol sales (liquor store) not in conjunction with a grocery store – expired	Approved by PC	January 2010
UC-0778-07	Allowed on-premises consumption of alcohol (service bar) in conjunction with a restaurant – expired	Approved by PC	August 2007
WC-0291-06 (NZC-1390-04)	Waiver of conditions of a zone change for a landscape buffer adjacent to a less intense use along the east property line of a proposed retail center	Approved by BCC	November 2006
DR-1762-04	Review of a retail center on 2.7 acres in a C-1 zone	Approved by BCC	November 2004
NZC-1390-04	Reclassified 2.7 acres from C-1 zoning to RUD zoning for a single family residential development	Approved by BCC	December 2004
DR-0004-00	Review of a 43,000 square foot shopping center consisting of 3 single story buildings on 5 acres	Approved by PC	February 2000
ET-400003-00 ZC-0111-98	Second extension of time - reclassified the site from R-E to C-1 Zoning for a single story 43,000 square foot shopping center	Approved by BCC	February 2000
ET-400018-98 ZC-0111-96	First extension of time - reclassified the site from R-E to C-1 Zoning for a single story 43,000 square foot shopping center	Approved by BCC	February 1998

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0111-96	Reclassified the site from R-E to C-1 Zoning for a single story 43,000 square foot shopping center	Approved by BCC	March 1996

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Senior living facility
South	Residential High (8 to 18 du/ac)	R-3	Multiple family residential
East	Commercial Neighborhood	C-1	Retail center
West	Commercial Neighborhood	RUD	Single family residences

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

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 does not have an overall objection with the proposed use. Staff also understands that new businesses within the neighboring communities can bring positive effects for its residents. A previous supper club with live entertainment was approved on-site via UC-0769-16, with no reported problems. Staff recommends approval of the requested use permits.

#### Waiver of Development Standards

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

The commercial complex currently has 74 parking stalls available for customers and employees to utilize. The proposed restaurant is required to have 55 parking stalls per Table 30.60-1. On-site are the following existing businesses: a restaurant (21 parking stalls required), a clothing alterations establishment (8 parking stalls required), and an indoor children's playground (22 parking stalls required). There have been no reported problems regarding the lack of amount of parking stalls available for customers and employees. Staff has no objection to this waiver and recommends approval of this request.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

- 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:** VIOLETA MERSINI  
**CONTACT:** INGA DAVIDIAN, 4218 NE 9TH CIRCLE, RENTON, WA 98059



07/02/19 PC AGENDA SHEET

MODIFIED SETBACK  
(TITLE 29)

MAULE AVE/GRAND CANYON DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0396-TOLL SOUTH LV, LLC:**

**USE PERMIT** for a modified front setback reduction.  
**DESIGN REVIEW** for a partially constructed single family residential subdivision on portions of 110.7 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone in the Summerlin South Master Planned Community.

Generally located on the north side of Maule Avenue and the west side of Grand Canyon Drive within Spring Valley. JJ/rk/ja

---

RELATED INFORMATION:

**APN:**  
List on file

**USE PERMIT:**  
Reduce the front setback for a side loaded garage to 10 feet if there is no sidewalk, where 14 feet is required per the modified standards for Summerlin (a 29% reduction).

**LAND USE PLAN:**  
SPRING VALLEY - MAJOR DEVELOPMENT PROJECT -  
(SUMMERLIN SOUTH) SINGLE FAMILY RESIDENTIAL - (10 DU/AC)

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

- Site Address: 6700 Regency Square Avenue
- Site Acreage: 110.7 (portions)
- Number of Lots: 74
- Project Type: Front setback reduction for 2 models
- Number of Stories: 1
- Building Height: Up to 20 feet
- Square Feet (minimum/maximum): 1,793/2,428

History/Site Plans

The subject development was originally approved in 2015 for a gated residential community totaling 457 single family lots and 34 common area lots on 110.7 acres. The community is

currently under construction with 6 out of the 7 phases mapped and recorded. The 2015 approval included modified setbacks for this development.

The current request is needed to accommodate 2 of the 9 floor plans offered within the community. These models have a side loaded garage which would result in a 10 foot setback from back of curb.

**Elevations**

This community offers 1 story homes with a maximum height of up to 20 feet. The elevations reveal stucco finished walls with decorative accents, window enhancements, and concrete tile roofs. Both of the models will have 3 distinct elevation plans with side loaded car garages.

**Floor Plans**

The subject models range in size from 1,793 square feet to 2,428 square feet. Both of the models have 2 bedrooms and a 2 car garage.

**Applicant's Justification**

The applicant indicates the plot plans for both of these models have been approved and built in existing phases of this development. The oversight by the County has resulted in side loaded garages being constructed with a 10 foot setback from back of curb. To rectify this condition the use permit being requested is to ensure setback compliance for the remaining lots. Furthermore, the request is in keeping with the same standard as used for existing homes within the development and in harmony with the active adult programming of the community.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-0267-15	Increased the number of model homes located in an approved single family residential subdivision	Approved by PC	June 2015
UC-0936-14	Modified front, corner side and, rear setbacks with a waiver for street improvements in conjunction with a single family development	Approved by PC	January 2015
TM-0207-14	465 single family residential lots and common lots	Approved by PC	January 2015
ZC-0527-13	Reclassified this site to R-2 zoning with a use permit to establish modified residential development standards for Village 16A	Approved by BCC	October 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban	R-2	Compact single family residential subdivision
South	Major Development Project – Multi-Family & Single Family	R-2	Mapped single family residential subdivision, elementary school



### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Residential High, Residential Suburban, Commercial General	R-3, R-2, C-2	Compact and traditional single family residential subdivisions, undeveloped land
West	Major Development Project – Single Family	R-2	Mapped single family residential subdivision

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

##### Use Permit and Design Review

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 setback being requested to accommodate 2 models within the development are consistent with past approvals on the project site. Staff does not have a practical issue with this request since it will have little impact on the subdivision and these models have been approved and built in existing phases of this community.

#### 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

- 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 1 year of approval date or it will expire.

#### Public Works - Development Review

- No comment.

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

- No comment on setbacks.

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

**APPLICANT:** TOLL SOUTH LV, LLC

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

**DRAFT**

07/02/19 PC AGENDA SHEET

SIGNAGE  
(TITLE 30)

SUNSET RD/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0371-SUNSET & DURANGO PARTNERS, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the height of a freestanding sign; 2) wall sign letter height; 3) animated signage; 4) neon signage; 5) increase the projection of signs from side of building; and 6) roof sign.

**DESIGN REVIEW** for a comprehensive sign plan in conjunction with a proposed shopping center on 4.8 acres in a C-2 (General Commercial) Zone in the CMA Design and MLD-2 Overlay Districts.

Generally located on the north side of Sunset Road, 400 feet west of Durango Drive within Spring Valley. JJ/sd/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-32-801-012; 163-32-801-013

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a freestanding sign to 35 feet where a maximum of 20 feet is allowed in the CMA Design Overlay District per Section 30.48.680 (c) (a 75% increase).
2. Increase the average letter height for wall signs to 10 feet where an average of 6 feet is permitted per Table 30.72-1 (67% increase).
3.
  - a. Increase the square footage of an animated sign (non-video LED) in conjunction with a freestanding sign to 189 feet where a maximum of 50 square feet is allowed per Section 30.48.680 (3) (a 191% increase).
  - b. Allow an animated wall sign where animated signs may only be permitted in conjunction with a freestanding sign per Section 30.48.680 (3) (a).
4. Permit neon signage (bike rack, bench signs, tenant signs) where only accent neon lighting is allowed, which shall not exceed a total linear amount of 25% of sign area in the CMA Design Overlay District per Section 30.48.680.
5. Allow for projecting wall sign to extend to 5 feet where a maximum projection of 3 feet is allowed per Table 30.72-1 (a 67% increase).
6. Allow a roof sign where not permitted per Chapter 30.72.

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL GENERAL

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 14 (whole development)
- Project Type: Comprehensive Sign Plan (freestanding/wall/animated)
- Signage Height (feet): 35 (freestanding); 15 (sign above parking garage entrance); 4 (bike rack sign); 6 (bench sign)

#### Site Plans

The plans show a proposed shopping center consisting of multiple buildings, including a luxury movie theater (Galaxy) and a subterranean parking garage. The 2-story Galaxy movie theater building is located 24 feet from the northern property line, and south of the movie theater there are two, 5-story commercial buildings. The project is providing cross access to the properties on the west (office building) for which a companion item for signage is on this agenda. Access to the site is shown off Sunset Road and Durango Drive through a cross access agreement. There is a freestanding sign located along Sunset Road and a freestanding (bike rack) sign located along the eastern side of the eastern most commercial building along Sunset Road, and a freestanding sign (bench) sign is located on the western side of a retail building on the west side of the site. A freestanding sign is located above the entrance to the parking garage which is in the center of the complex entry on the corner of Sunset Road and Riley Street.

#### Landscaping

No changes to landscaping are proposed or required.

#### Elevations

The proposed shopping center will have combinations of 1-story and 2-story buildings ranging in height from 20 feet to 42 feet to the top of the buildings. All buildings have a contemporary/modern architectural style with a variety of architectural elements. The exterior of the building will consist of a combination of stacked CMU, concrete tilt-up, decorative metal panels, smooth coat stucco finish painted with Urbane Bronze color, glass guardrail, glazing with dark bronze frame, and glass store fronts and windows. Proposed patios will be enclosed by a 4-foot high fence made of wood framing, wood panels, with landscape planters on top.

#### Signage

This request is for the entire site and depicts the location, height, square footage, and material being used. The sign types within this submittal package consist of freestanding signs, animated signs, neon signs, projection signs, and allows animated wall sign and a roof sign.

The 350 square foot freestanding (pylon) sign is located along Sunset Road and will be 35 feet in height with a 189 square foot animation screen area. It consists of a base with tenant panels with illuminated black channel letters and white Lexan face. A freestanding (bike rack) sign is located along the eastern side of the eastern most commercial building along Sunset Road and is 4 feet tall and 10 feet long, and a freestanding sign is located on the west side of a retail building on the western portion of the side of the site. Another freestanding sign is located above the entrance to the parking garage and is 35 feet tall and 10 feet long. The bike rack sign, the bench sign, and

the sign above the parking garage spell out “The Bend” in neon letters. A roof sign is located along a decorative feature above the entrance of the movie theater. It extends above the fascia to which it is attached, but it does not extend above the roof of the building.

Additional wall signage, projecting signs, and wayfinding signs, are shown on all elevations and locations. All of the proposed signs have design elements that are compatible with the proposed building.

Applicant’s Justification

The applicant is requesting several waivers for a proposed sign package. The applicant states that the developer and/or landlord is encouraging the tenants to have aesthetically pleasing and interesting signage. These include an increase in the overall height of a freestanding pylon sign oriented towards north/south traffic and directly across from IKEA and will advertise tenants and coming attractions. Projected signs will be anchored to the building and will be for directional information to pedestrians. Proposed tenant signs will be utilized with exposed neon. In addition, the applicant is requesting a Galaxy Theater roof sign to project above the roof line to attract visitors.

**Prior Land Use Requests:**

Application Number	Request	Action	Date
TM-18-0094	Commercial subdivision	Approved by PC	July 2018
WS-18-0093	Waived development standards to allow for alternative pedestrian walkway and reduced street landscaping with a design review for a shopping center and alternative parking lot landscaping	Approved by BCC	March 2018
ZC-0081-17	Reclassified to C-2 zoning for a future commercial development in the CMA Design Overlay District	Approved by BCC	March 2017
NZC-0344-15	Reclassified to R-5 zoning for a multiple family residential development with a waiver of development standards to increase building height and reduced parking – expired.	Approved by BCC	August 2015
ZC-0117-13	Reclassified to R-4 zoning for a multiple family residential development with a waiver of development standards to increase building height - expired	Approved by BCC	May 2013
PA-0010-11	Spring Valley annual plan amendment to amend the land use plan for the 10.5 acre site to RUC (Residential Urban Center) this was later changed to Commercial General during the land use plan update in 2014	Approved by BCC	February 2012
ZC-1233-05	Reclassified to U-V zoning for a mixed use development with a use permit to increase building height and density - expired	Approved by BCC	October 2005

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 du/ac to 32 du/ac)	C-2 & U-V	Multiple family residential development
East & West	Commercial General	C-2	Undeveloped
South	Commercial Tourist	C-2	Commercial development (IKEA store)

The immediate area is within the CMA Design and MUD-2 Overlay Districts.

### Related Applications

Application Number	Request
WS-19-0372	Waivers of development standards for proposed signage is a companion item of this agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1 & #3a

The design of the freestanding (pylon) sign is compatible with the proposed commercial development; however, the sign does not meet the standards for height and animation size. Staff does not typically support waivers of development standards to freestanding (pylon) sign height and an increase in the size of animation part of a freestanding sign in the CMA Design Overlay District without mitigating circumstances. The overall development is greater than 5 acres and encompasses very large buildings. Therefore, staff can support these requests.

##### Waiver of Development Standards #2 and #3b

The proposed wall signs allowing for an average 10 foot high lettering are not considered to be excessive, due to the overall size of the buildings and the project being greater than 5 acres; therefore, staff can support these requests.

#### Waiver of Development Standards # 4

The design of the signs are compatible with the unique character of the proposed commercial development; however, the signs do not meet the standards for the type of lighting (exposed neon). Typically staff does not support the waiver of development standards for exposed neon in the CMA without mitigating circumstances. The proposed signage with exposed neon lighting (including the sign above parking garage entrance) fits into the character of the site and does not pose a negative impact to adjacent properties; therefore, staff can support this request.

#### Waiver of Development Standards #5

The plans submitted show projecting wall signs within the complex. Review of the plans show such signage that will be "projecting out" 5 feet from the wall. These signs are intended for directional information to the public. The plans show the signs to be installed well above pedestrian traffic flow within the internal areas of the development, and should not have a negative impact to the adjacent property nor to the street frontage; therefore, staff can support this request.

#### Waiver of development standards #6

The regulations for signage also helps to maintain and enhance the aesthetic environment of the area. Staff has supported similar requests for signs on an architectural element of a building when the sign does not extend above the roof of the building. The sign is significantly set back from the street and should not have a negative impact to adjacent property. Therefore, staff can support this request.

#### Design Review

The design of the signs are compatible with the character of the buildings. Although it is not a typical design in the CMA Design Overlay with each wall sign having similar size and design, the applicant has provided an interesting design style, integrated throughout the site. Staff is concerned with the pylon sign and wall signs and animated wall signage. Staff supports the Comprehensive Sign Plan, if these signs are in conformance with the development standards for the CMA Design Overlay.

#### **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**

- Subject to all wall signs consisting of channel letters, numbers or symbols.

- Applicant is advised that additional signs not included with this plan which meet code requirements and design standards of this application do not require an additional design review; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

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

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: RYAN WILKERSON**

**CONTACT: YESCO, 5119 CAMERON ST, LAS VEGAS, NV 89113**

**DRAFT**



11

07/02/19 PC AGENDA SHEET

SIGN PACKAGE  
(TITLE 30)

SUNSET RD/DURANGO DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-19-0372-VESICA ALLIANCE LTD:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase the height of a freestanding sign; **2)** increase average letter height of a wall sign, and **3)** permit neon signage.  
**DESIGN REVIEW** for a comprehensive sign plan in conjunction with a proposed commercial building on 4.8 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts.

Generally located on the north side of Sunset Road, and east side of Riley Street within Spring Valley. JJ/sd/ja (For possible action)

---

RELATED INFORMATION:

**APN:**  
163-32-801-011

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a freestanding sign to 35 feet where 20 feet is allowed in the CMA Design Overlay District per Section 30.48.680 (a 75% increase).
2. Increase the size of the average lettering height to 12 feet where 6 feet is allowed if the development is more than 5 gross acres per Table 30.72.1 (a 50% increase).
3. Permit neon signage (bike rack, bench signs, tenant signs) where only accent neon lighting is allowed, which shall not exceed a total linear amount of 25% of sign area in the CMA Design Overlay District per Section 30.48.680.

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 14 (entire development)
- Project Type: Signage
- Building Height (feet): 42
- Square Feet: 35 (freestanding); 15 (sign above parking garage entrance); 4 (bike rack sign); 6 (bench sign)

### Site Plans

The plans show a proposed office building located at the corner of Sunset Road and Riley Street. The project is providing cross access to the shopping center to the east for which a companion item for signage is on this agenda. Access to the site is shown off Sunset Road (sharing with the shopping center) and off of Riley Street. The freestanding (pylon) sign is located on the corner of Sunset Road and Riley Street. Another freestanding sign (bike rack sign) is located on the west side of the building facing Riley Street and is 4 feet tall and 10 feet long.

### Landscaping

No changes to landscaping are proposed or required.

### Signage

This request is for this site and the companion to adjoining parcels for the location, height, square footage, and material being used. The sign types within this submittal package consist of a freestanding sign and wall signs. A freestanding sign in the CMA Design Overlay District is limited to 20 feet in height. The proposed freestanding (pylon sign) will be 35 feet in height with illuminated black channel and white Lexan face. The bike rack sign is 4 feet in height and 10 feet long.

A wall sign with 12 foot high letters ("The Bend") is located on the top of the building's east and west elevations with internal and halo illumination, white acrylic face with black perforated vinyl overlay. Additional wall signs identifying tenants will have average letter height up to 10 feet and located on all elevations. All of the proposed signs have design elements that are compatible with the proposed building.

### Applicant's Justification

The applicant is requesting several waivers for a proposed sign package. The applicant states that the developer and/or landlord is encouraging the tenants to have aesthetically pleasing and interesting signage. The proposed signage includes an increase to a freestanding (pylon) sign to 35 feet that will let motorists know that they have reached their destination and safely enter the site. The proposed wall signage includes a waiver to allow up to 12 feet high sign lettering.

### Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-0094	Commercial subdivision	Approved by PC	July 2018
WS-18-0093	Waived development standards to allow for alternative pedestrian walkway and reduced street landscaping with a design review for a shopping center (movie theater) and alternative parking lot landscaping	Approved by BCC	March 2018
ZC-0081-17	Reclassified to C-2 zoning for a future commercial development in the CMA Design Overlay District	Approved by BCC	March 2017

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0344-15	Reclassified to R-5 zoning for a multiple family residential development with a waiver of development standards to increase building height and reduced parking	Approved by BCC	August 2015
ZC-0117-13	Reclassified to R-4 zoning for a multiple family residential development with a waiver of development standards to increase building height	Approved by BCC	May 2013
PA-0010-11	Spring Valley annual plan amendment to amend the land use plan for the 10.5 acre site to RUC (Residential Urban Center) this was later changed to Commercial General during the land use plan update in 2014	Approved by BCC	February 2012
ZC-1233-05	Reclassified to U-V zoning for a mixed use development with a use permit to increase building height and density - expired	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 du/ac to 32 du/ac)	C-2 (under resolution of intent to R-4) & U-V	Multiple family residential development
East & West	Commercial General	C-2	Undeveloped
South	Commercial Tourist	C-2	IKEA store

The immediate area is within the CMA Design and MUD-2 Overlay Districts.

**Related Applications**

Application Number	Request
WS-19-0371	Waivers of development standards for proposed signage is a companion item of this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

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

Waiver of development standards # 1

The signs are compatible with the proposed commercial development; however, the signs do not meet the standards for height and animation size. The overall development is greater than 5 acres and encompasses very large buildings that are 80 feet in height qualifying for mitigating circumstances; therefore, staff can support this request.

Waiver of development standards #2

The request for an increase in the sign lettering up to 12 feet is not considered to be excessive due to the overall size of the development and the buildings are 80 feet in height. The design of the signs are compatible with the unique character of the proposed commercial development; therefore, staff can support this request.

Waiver of development standards #3

The design of the signs are compatible with the unique character of the proposed commercial development. The proposed signage with exposed neon lighting (including the sign above parking garage entrance) fits into the character of the site and does not pose a negative impact to adjacent properties; therefore, staff can support this request.

Design Reviews

The design of the signs are compatible with the character of the buildings. Although it is not a typical design in the CMA Design Overlay with each wall sign having similar size and design, the applicant has provided an interesting design style, integrated throughout the site. Staff is concerned with the pylon sign and wall signs and animated wall signage. Staff supports the Comprehensive Sign Plan, if those signs are in conformance with the development standards for the CMA Design Overlay.

**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**

If approved:

- Subject to all wall signs consisting of channel letters, numbers or symbols.

- Applicant is advised that additional signs not included with this plan which meet code requirements and design standards of this application do not require an additional design review; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

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

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: VESICA ALLIANCE LTD**

**CONTACT: YESCO, 5119 CAMERON ST, LAS VEGAS, NV 89113**

**D**

**DRAFT**



12

07/02/19 PC AGENDA SHEET

ACCESSORY STRUCTURE SETBACK  
(TITLE 30)

THUNDER RAPIDS CT/MARSH BUTTE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0395-OBERC ELENA M:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the rear setback for an existing accessory structure (detached covered patio) in conjunction with a single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Thunder Rapids Court, 290 feet west of Marsh Butte Street within Spring Valley. JJ/rk/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-30-211-064

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the rear setback for an existing detached covered patio to 1 foot where a minimum of 5 feet is required per Table 30.40-2 (an 80% reduction).

**LAND USE PLAN:**

SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10119 Thunder Rapids Court
- Site Acreage: 0.1
- Project Type: Accessory detached structure
- Building Height (feet): 13
- Square Feet: 250

**Site Plans**

The plans depict an existing single story, 1,704 square foot single family residence with an existing detached covered patio located in the rear yard. The setback reduction for the shade structure occurs along a portion of the south property line adjacent to another single family lot. These 2 lots are separated with a 6 foot high block wall. The shade structure is 2 feet from the posts to the property line and 1 foot from the overhang. The shade structure meets all other setback and separation requirements.

Landscaping

No changes are proposed or required to existing landscaping.

Elevations

The 13 foot high shade structure consists of a pitch tile roof with stucco siding and matches the building material of the house.

Floor Plans

The shade structure is 250 square feet in size and is open on all sides.

Applicant's Justification

The applicant indicates that during the process of applying for a permit to build an addition to the house, she learned that the shade structure was never properly permitted when it was built. After being made aware of the error, she now needs to resolve the permitting issues with the shade structure before she can proceed with the permits for the addition.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Residential Suburban (up to 8 du/ac)	R-2	Single family residences

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Even though staff finds the shade structure is architecturally compatible with the house and surrounding residences, the requested waiver to reduce the rear setback to 1 foot is a self-imposed hardship and does not comply with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages appropriate buffers and setbacks with single family residential developments. Therefore, staff cannot support the request.

**Staff Recommendation**

Denial.

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



**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

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

**Public Works - Development Review**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

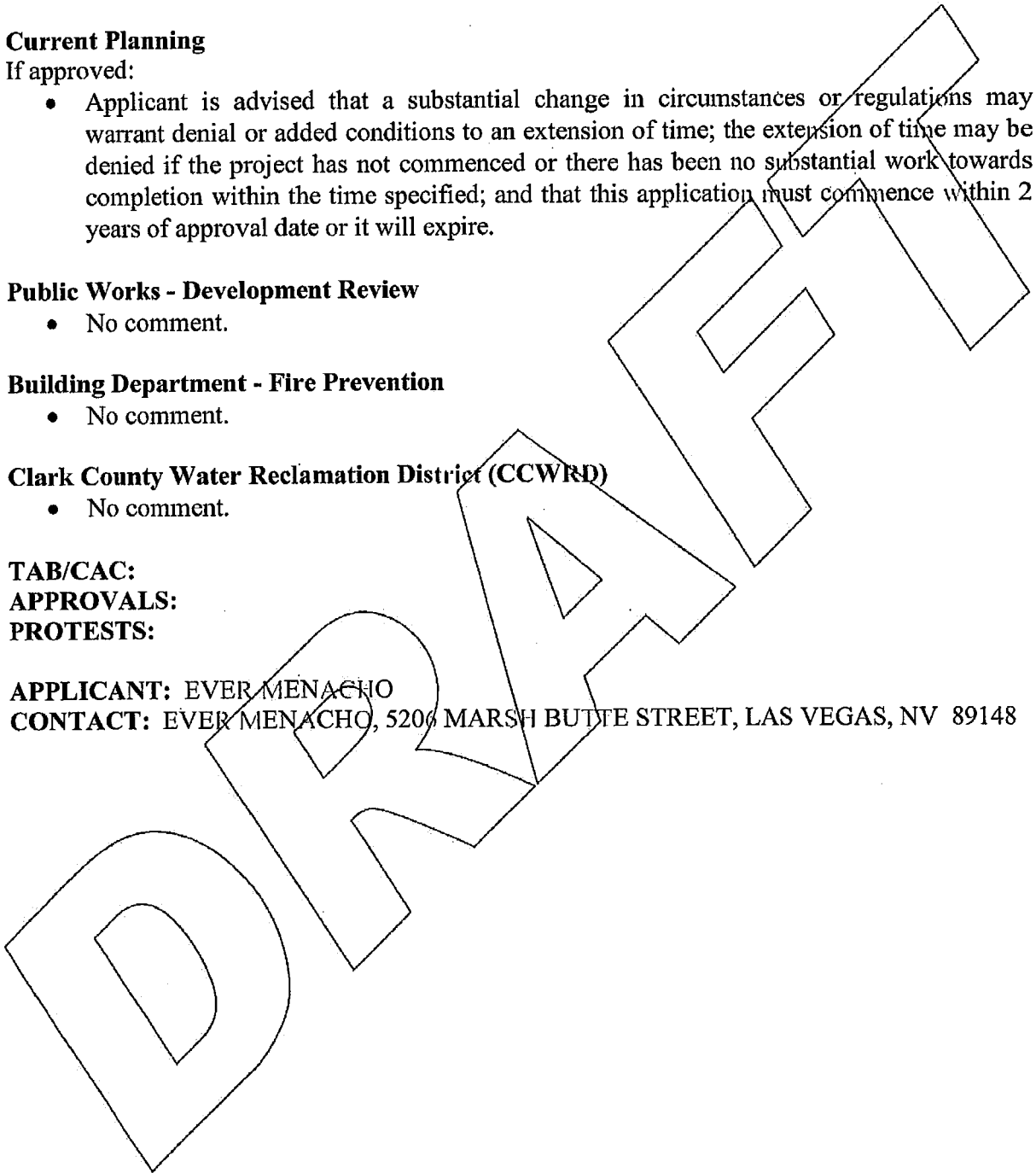
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: EVER MENACHO**

**CONTACT: EVER MENACHO, 5206 MARSH BUTTE STREET, LAS VEGAS, NV 89148**





07/03/19 BCC AGENDA SHEET

SENIOR APARTMENTS  
(TITLE 30)

FLAMINGO RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-19-400060 (NZC-0857-13)-HAND PROPERTY HOLDING COMPANY:**

**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 5.1 acres from R-E (Rural Estates Residential) Zone, under resolution of intent to R-3 (Multiple Family Residential) Zone and C-1 (Local Commercial) Zone to R-4 (Multiple Family Residential) Zone.

**USE PERMIT** for a senior housing facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased building height; 2) eliminate or reduce screening and landscape buffer requirements; 3) reduced parking; and 4) reduced required open space requirements.

**DESIGN REVIEW** for a senior housing facility.

Generally located on the north side of Flamingo Road, 660 feet west of Durango Drive within Spring Valley (description on file). JJ/bb/a (For possible action)

RELATED INFORMATION:

**APN:**

163-17-803-011 through 163-17-803-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 49 feet where a maximum height of 35 feet is permitted (a 29% increase).
2.
  - a. Permit a 6 foot high decorative fence at the property line (Saddle Avenue) where not permitted.
  - b. Permit a 6 foot high decorative fence at the property line (Flamingo Road) where not permitted.
  - c. Reduce the required landscape area width along Flamingo Road to 10 feet where a minimum of 15 feet in conjunction with an existing attached sidewalk is required (a 33% reduction).
  - d. Waive parking lot landscaping throughout portions of the parking lot where compliance with Figure 30.64-14 is required.
  - e. Eliminate the required landscape buffer adjacent to a less intensive use where compliance with Figure 30.64-11 is required (a 100% reduction).
  - f. Eliminate the required deep root irrigation for trees adjacent to sidewalks where required.
  - g. Reduce the requirement that shrubs shall be designed to cover more than 50% of the landscaped area and provide for only 4 shrubs per 15 gallon tree.
3. Reduce required parking for a senior housing facility to 132 spaces where a minimum of 175 spaces are required (a 25% reduction).

4. Reduce the open space requirement to 170 square feet per unit where a minimum of 200 square feet per unit is required (a 15% reduction).

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 5.1
- Number of Lots/Units: 175
- Density (du/ac): 34.3
- Project Type: Senior Housing Facility
- Number of Stories: 3 and 4
- Building Height (feet): 49
- Parking Required/Provided: 175/132

Site Plans

The plans depict a senior housing facility on a rectangular 5.1 acre parcel, consisting of 3 residential buildings and 1 recreational building, which are centrally located on the site. Two of the buildings contain 60 units each with 1 building containing 55 units. The primary access to the site is from 1 access point along Flamingo Road with an emergency access gate on Saddle Avenue. Parking is located around the perimeter of the buildings. An existing 5 foot wide attached sidewalk is shown adjacent to Flamingo Road and a proposed 5 foot wide attached sidewalk is shown adjacent to Saddle Avenue. Common open space is provided in the recreational building and within the exterior courtyards of the buildings.

Landscaping

The plans depict minimal landscaping distributed throughout the site as follows: 1) minimum 6 foot wide street landscaping along Saddle Avenue in conjunction with a proposed attached sidewalk with a 6 foot high decorative fence at the property line; 2) zero landscaping along the east property line; 3) minimum 10 foot wide street landscaping along Flamingo Road in conjunction with an existing attached sidewalk with a 6 foot high decorative fence at the property line; 4) zero landscaping proposed along the west property line; and 5) no landscape islands or landscaping distributed throughout the parking area.

Elevations

The plans show 4 story, 49 foot high buildings with concrete tile and parapet roof and stucco siding which resemble a traditional multiple family residential building. Balconies, window trim, varied rooflines, and architectural pop-outs will be provided on all sides of the building. Covered entryways with pitched roofs are shown at all entries to the building. The building that is closest to Saddle Avenue has a portion of the building that is proposed with a 3 story, 36 foot high stair step design that transitions to 4 stories and 49 feet in height. A recreation building is also depicted towards the southern portion of the site and consists of the same architectural elements and materials.

### Floor Plans

The plans depict a total of 175 units consisting of 1 and 2 bedroom units with the following ratio: 1) 92, one bedroom units; and 2) 83, two bedroom units. Each unit has a living room, 1 or 2 bedrooms, kitchen, bathroom, closets, and a balcony or patio. A lobby and manager's office are shown on the first floor. Exercise rooms, laundry rooms, salon, social rooms, computer rooms, and other accessory uses are distributed throughout the building.

### Previous Conditions of Approval

Listed below are the approved conditions for NZC-0857-13 (ET-0068-17):

#### Current Planning

- Until May 17, 2019 to complete.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for NZC-0857-13:

#### Current Planning

- A resolution of intent to complete construction in 4 years;
- A maximum of 175 lots;
- 10 feet of landscaping along the Flamingo Road street frontage in front of the fence;
- Design review as a public hearing on significant changes to plans;
- Provide a pedestrian gate on the northwest corner of the project, immediately adjacent to the proposed fire access gate;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

#### Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Saddle Avenue;
- Reconstruct any unused driveways with full off-sites.

#### Building/Fire Prevention

- Fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that zoning changes affect sewer capacities; this requires the submittal of civil improvement plans for full engineering review and evaluation

(including estimated wastewater flow rates at project build-out); and that CCWRD has no objection to the zoning change as submitted.

**Signage**

Signage is not a part of this request or the original application.

**Applicant's Justification**

The applicant indicates that they are seeking an extension of time for the project as they had trouble securing financing to develop the project. However, funding has now been secured and construction has commenced. The applicant is requesting more time to complete the project.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0857-13 (ET-0068-17)	First extension of time to reclassify 5.1 acres to R-4 zoning for a senior housing facility	Approved by BCC	July 2017
NZC-0857-13	Reclassified 5.1 acres to R-4 zoning for a senior housing facility	Approved by BCC	March 2014
NZC-0331-12	Reclassified 3.7 acres to R-3 zoning for a senior housing facility and a future commercial development on 1.4 acres with a use permit and design review for a senior housing facility	Approved by BCC	September 2012
ZC-0483-08	Reclassify from R-E to C-1 zoning with a design review for a commercial building	Withdrawn	June 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-1	Single family residential subdivision
South	Residential High (8 du/ac to 18 du/ac), Commercial Neighborhood, & Commercial General	R-3, C-1, & C-2	Residential condominiums & commercial
East	Commercial General	C-2	Shopping center
West	Office Professional	R-E	Assisted living facility

**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. The applicant has submitted a traffic study and a

drainage study, the drainage study has been approved and staff is reviewing the traffic study. In addition, the applicant has been issued multiple building permits and construction has commenced. Since the applicant has made some progress towards development of the project, staff can support an extension of the original entitlements.

**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 May 17, 2021 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: NEVADA HAND**

**CONTACT: ROBERT FEIBLEMAN, NEVADA HAND, 295 E. WARM SPRINGS RD, STE 101, LAS VEGAS, NV 89119**





07/03/19 BCC AGENDA SHEET

TEMPORARY EVENT (SAN GENNARO)  
(TITLE 30)

SUNSET RD/DURANGO DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0301-UL 215, LLC & UW 215, LLC:**

**USE PERMITS** for the following: **1)** a temporary outdoor commercial event (San Gennaro Feast); **2)** allow live entertainment after daytime hours; and **3)** allow temporary signs for longer than allowed on 20.4 acres in a C-2 (General Commercial) Zone within the CMA Design and MUD-2 Overlay Districts.

Generally located on the south side of Sunset Road and the east side of Rafael Rivera Way within Spring Valley. JJ/sd/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-05-510-002 through 176-05-510-004

**USE PERMITS:**

1. Allow a temporary outdoor commercial event (San Gennaro Feast) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Allow live entertainment after daytime hours as required per Table 30.44.1.
3. Increase the time limit for a temporary sign to 30 days where a maximum of one, 10 day event in a calendar month per Table 30.72-3 is allowed.

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6555 Riley Street
- Site Acreage: 20.4
- Project Type: Temporary event

**Site Plan**

The plan depicts the setup for an annual outdoor commercial event (San Gennaro Feast) that will run this year as a 5 day event from September 11, 2019 through September 15, 2019. This event has been conducted at this site in the past. A use permit is required for this temporary activity because there is not a licensed business on the property. This proposed 20.4 acre location is on the south side of Sunset Road, east of the 215 Beltway and west of Riley Street and the Ikea

Shopping Center. The only access to this site is from Riley Street (a private 32 foot wide street) which intersects with Sunset Road on the north and Rafael Rivera Way on the south. Temporary structures and activities proposed are typical of an outdoor event, which include but are not limited to, the following: tents/canopies over various food stations and eating/drinking areas, portable ovens, ice storage, restrooms, storage trailers, kids' area, rides and carnival games and a stage for entertainment. The stage is located on the southern portion of the site with sound directed towards the north.

Parking

The site plan includes a statement that there will be approximately 2,083 parking spaces located on-site and identifies areas where additional parking spaces could be provided around the perimeter of the site. In addition, the applicant has provided a letter from Stable Development, to rent 1,035 open parking spaces in the Corporate Center at the Curve Business Park for the duration of the event.

Applicant's Justification

The applicant states that this is the 40<sup>th</sup> consecutive year that the San Genarro Feast has been conducted in Southern Nevada. It is an Italian food and music festival that supports various local charities. The event features foods, arts and crafts, music, pony rides, a petting zoo, face painters, amusement rides and games, and a beer and wine garden. The applicant is also pursuing additional parking at off-site locations through a rental agreement with adjacent property owner(s). The applicant has stated that there will be no shuttles used this year to bring pedestrians to the site from outside parking areas. The applicant will utilize flaggers and security personnel, along with Metro Police Officers to assist in either parking, traffic and/or pedestrian control to and from the festival site. To address past issues with underage drinking the applicant will put in place the use of wrist bands. In addition, the applicant will install 6 foot by 12 foot panel fencing around Sunset Road and Rafael Rivera Way to address security, fire exits and safety issues. Clark County Department of Air Quality, Bill Gray, has signed off on using parking on unpaved surfaces for this event at this location.

Live entertainment is being requested by the applicant to extend to 11:00 p.m. on Wednesday, Thursday and Sunday and until midnight on Friday and Saturday. The applicant is requesting a 2 year special use permit.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0694-17	Allow a temporary outdoor commercial event (San Genarro Feast) – expired	Approved by BCC	September 2017
UC-0121-17	Commercial center	Approved by BCC	April 2017
WS-0896-16	Retail center on the northeast corner of the parcel	Approved by BCC	March 2017
UC-0895-16	Hotel on the northwest corner of the parcel	Approved by BCC	March 2017

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0107-16	A parking lot in conjunction with the IKEA store	Approved by BCC	April 2016
WS-0107-15	Off-site improvement requirements in conjunction with an approved commercial timeshare development	Approved by BCC	April 2015
TM-0112-14	1 lot commercial subdivision on 20.4 acres	Approved by PC	September 2014
DR-0082-14	Commercial timeshare development and signage - expired	Approved by BCC	April 2014
ZC-0613-04	Zone boundary amendment to C-2 zoning for a future commercial development - this zone boundary amendment zoned the majority of the site	Approved by BCC	May 2004
ZC-1749-00	Zone boundary amendment to C-2 zoning on a portion of the site	Approved by BCC	January 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 to 32 du/ac), Commercial General & Business and Design/Research Park	R-4, C-2, & U-V	Office component of a developing horizontally mixed use development & undeveloped
East	Commercial Tourist	C-2	IKEA store
South & West	215 Beltway, Major Development Project & Commercial Tourist	215 Beltway, H-1, R-2, & R-E	215 Beltway (Rafael Rivera Way frontage road) & 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 finds that the proposed location for this event does not have the needed infrastructure to support an event of this magnitude in a manner that is safe for the general public or the adjacent business. Riley Street is a 32 foot wide access road with 1 travel lane in each direction and neither intersection (Sunset Road and Rafael Rivera Way) is a controlled intersection. Additionally, the proposed location has insufficient parking for an event that draws approximately 80,000 attendees over the 5 day duration. Both County staff and adjacent

property owners, including IKEA, have raised concerns with regards to security, traffic and pedestrian activities. In the past, the applicant has applied for this event to be conducted on other properties in the valley, including in North Las Vegas and at Boulder Station, where similar issues as mentioned above have also occurred. The applicant has been advised to find a more suitable permanent site that can accommodate the concerns raised in regards to both parking and crowd numbers. Based on safety concerns to the general public and insufficient parking, staff cannot support this request.

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

Clark County has several easements on the subject parcels that may impact the proposed use. The level of detail on the plans is insufficient to determine what that impact may be. Therefore, staff is advising the applicant the temporary and/or permanent activities are prohibited within the easements.

### **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:

- Event limited to September 11, 2019 through September 15, 2019;
- Provide a parking plan to demonstrate a minimum of 1,500 parking spaces are provided;
- Provide 1,000 or more on-site parking spaces;
- Provide 130 or more on-site parking spaces for vendors (in addition to the 1,000 spaces set forth in #1)
- Provide 850 off-site parking spaces in the office park on the northwest corner of Sunset Road and Riley Street during all of the Feast hours;
- Provide an additional 216 off-site parking spaces in the office park on the northwest corner of Sunset Road and Riley Street during the hours of Wednesday and Thursday from 6:00 p.m. to 11:00 p.m., Friday from 6:00 p.m. to midnight, Saturday from 1:00 p.m. to midnight, and Sunday from 1:00 p.m. to 11:00 p.m.;
- Install 6-foot tall fencing along Rafael Rivera Way from the southeast corner of the property until it meets up with the perimeter fencing of the Feast in order to prevent fence hopping and curb hopping along Rafael Rivera Way;
- Install 6-foot tall fencing along Sunset Road from the concrete barrier that exists on the northwest corner of the property to the point approximately 300 feet west of Riley Street in order to prevent fence hopping and curb hopping along Sunset Road;
- Provide shuttles (through Bell Transportation) from the off-site parking to the Feast site in order to significantly reduce the number of pedestrians crossing Sunset Road;
- Provide 18 hired and identifiable security personnel to assist in the security of the Feast;

- Provide 15 hired and identifiable flaggers in the on-site parking lots to assist in the on-site parking process;
- Obtain a Special Event Permit through Clark County Public Works for the barricades and signage for the event – the application was submitted to Public Works through RoadSafe Traffic Systems;
- Have 22 Metropolitan Police Department (Metro) officers on Wednesday, Thursday, and Sunday; and 32 Metro officers on Friday and Saturday at the Feast and in surrounding area (as determined by Metro) in order to patrol the Feast, assist in security and assist in safe travel of pedestrians across Sunset Road;
- Require wrist bands (through PC Food) for the carnival area on Friday and Saturday evenings for crowd control purposes;
- Coordinate with IKEA regarding the closure of Riley Street (in the event the on-site parking is full), security and signage directing traffic to the on-site and off-site parking;
- Provide 7 fire exits from the Feast site;
- Provide an ambulance on-site with an EMT;
- To cover clean-up and additional security for IKEA, provide IKEA with \$5,000 as agreed upon.
- 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**

- Temporary and/or permanent activities shall not be permitted within easements granted to Clark County.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ANTHONY PALMISANO

**CONTACT:** ANTHONY PALMISANO, SAN GENNARO FEAST, 6130 W. FLAMINGO ROAD #777, LAS VEGAS, NV 89103



07/03/19 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

OQUENDO RD/BRONCO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0391-GALL, STEEVEN & KARINE:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce the net and gross lot area; and 2) reduce street intersection off-set.

**DESIGN REVIEW** for increased finish grade on 2.5 acres in an R-E (Rural estates Residential) (AE-60) Zone.

Generally located on the southwest corner of Oquendo Road and Bronco Street within Spring Valley. MN/sd/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-35-601-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce net lot area to a minimum of 17,530 square feet (Lots 1, 2, 3 and 4) where minimum of 18,000 square feet is required in an R-E zone per Table 30.40-1 (a 2.6% reduction).
- b. Reduce gross lot area to a minimum of 19,630 square feet (Lot 3) where a minimum of 20,000 square feet is required in an R-E zone per Table 30.40-1 (a 2% reduction).
2. Reduce street intersection off-set to 122 feet where 125 feet is required per Uniform Standard Drawing 222.1.

**DESIGN REVIEW:**

Increase finish grade up to 27 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 50% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots/Units: 4

- Density (du/ac): 1.6
- Minimum/Maximum Lot Size (square feet): 17,530/18,000 (net)/19,630/20,000 (gross)
- Project Type: Single family residential development

Site Plans

The plans depict a 4 lot single family residential subdivision with an overall density of 1.6 units per acre. A minor subdivision map (MSM-18-600004) was submitted to subdivide the site. The site will consist of 4 lots that will be accessed by a 40 foot wide private street from Oquendo Road. A private 15 foot wide drainage easement exists along the west property line (Lots 1 and 4), a 3 foot traffic control easement along both Bronco Street and Oquendo Road, and a 5 foot utility easement are located along the proposed private cul-de-sac.

Landscaping

A landscape plan will be provided by the owners during construction.

Elevations & Floor Plans

The development will consist of custom homes; therefore, elevation plans will be submitted at the time of construction.

Applicant's Justification

The applicant is requesting to reduce the net lot area for all 4 lots (Lots 1, 2, 3 and 4) and the gross lot area for Lot 3. Due to existing easements the applicant has stated they are unable to meet the minimum net/gross lot areas. In addition, the applicant is requesting to increase the grade to 27 inches to minimize fill and to provide for positive lot drainage and to reduce the intersection off-set to 122 feet, where 125 feet is required.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1036-17	Vacated and abandoned government patent easements	Approved by PC	January 2018

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	Single family residences/undeveloped

Related Applications

Application Number	Request
MSM-18-600004	A minor subdivision map for a 4 lot single family residential subdivision is currently in process.

**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 #1a & #1b

Lots 1 and 4 are impacted by a 5 foot utility easement along the private cul-de-sac, a traffic control easement along Oquendo Road and a 15 foot wide private drainage easement that runs along the west property line. These easements reduce the square footage of the lots below the 18,000 square foot net requirement. Lots 2 and 3 have similar easements along Bronco Street, the private cul-de-sac and Oquendo Road that affect the useable area of each lot. The reduction of both the net lot area and gross lot area for the lots will not impact required building setbacks and will not be noticeable to the property owners or the owners of any abutting developments.

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

#### Waiver of Development Standards #2

Staff finds that the reduced intersection off-set is a self-imposed hardship that can be rectified with a minor redesign.

#### Design Review

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.

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 of waivers of development standards #1a and #1b, and the design review; and 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**

- Comply with approved drainage study;
- Right-of-way dedication to include 30 feet for Oquendo Road, 30 feet for Bronco Street, and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

#### **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 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 and 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- Applicant is advised to show fire hydrant locations on-site and within 750 feet.

**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 #0700-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KGS INVESTMENTS, LLC

**CONTACT:** ACG DESIGN, 4310 CAMERON STREET #12-A, LAS VEGAS, NV 89103

