



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W Spring Mountain Rd.

Las Vegas, NV 89103

September 24, 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 September 10, 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 September 24, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
  - National Night Out with Metropolitan Police Department 5pm – 8pm October 1, 2019 at Cashman Park, Downtown Summerlin and Mountains Edge.

VI. Planning & Zoning

1. **VS-19-0681-LABORERS INTL UNION LOCAL 872:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Sahara Avenue and Laredo Street, and between Belcastro Street and Montessouri Street within Spring Valley (description on file). JJ/tk/jd (For possible action) **10/15/19 PC**
2. **VS-19-0703-YEW GODFREY & BAKER KIMBERLY E:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Miller Lane and Harbor Hills Lane and between Eldora Avenue (alignment) and Tara Avenue within Spring Valley (description on file). JJ/sd/jd (For possible action) **10/15/19 PC**
3. **NZC-19-0672-WALTERS GROUP:**  
**ZONE CHANGE** to reclassify 6.4 acres from C-P (Office and Professional) Zone and C-2 (General Commercial) Zone to R-5 (Apartment Residential) Zone in the CMA Design Overlay District.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; and **2)** increase building height.  
**DESIGN REVIEWS** for the following: **1)** multiple family residential development; and **2)** increase finished grade for a multiple family residential development in conjunction with an existing shopping center. Generally located on the south side of Warm Springs Road and the west side of Cimarron Road within Spring Valley (description on file). MN/jt/jd (For possible action) **10/15/19 PC**
4. **VC-19-0690-HERNANDEZ, JESSE KALEB:**  
**VARIANCES** for the following: **1)** reduce the rear setback for an existing accessory structure; and **2)** reduce the separation between an existing accessory structure and an existing principal structure (single family residence) in conjunction with a single family residence on 0.1 acres in an R-3 (Multiple Family Residential) Zone in the Rhodes Ranch Master Planned Community. Generally located on the north side of Warm Springs Road, 555 feet east of Fort Apache Road within Spring Valley. JJ/md/jd (For possible action) **10/15/19 PC**
5. **DR-19-0659-WATER PARK, LLC:**  
**DESIGN REVIEW** for incidental alcohol service areas in conjunction with a recreational facility (waterpark) on 17.2 acres in an R-E (Rural Estates Residential) P-C (Planned Community Overlay District) Zone in Village 16A in the Summerlin South Master Planned Community. Generally located on the west side of Fort Apache Road, 620 feet south of Maule Avenue within Spring Valley. JJ/jvm/jd (For possible action) **10/16/19 BCC**

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

6. **DR-19-0664-SUMMERLIN SURGERY CENTER, LLC:**  
**DESIGN REVIEW** of a building addition for an existing medical office in conjunction with an existing commercial/office complex on 0.6 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Hualapai Way, 164 feet south of Discovery Drive (alignment) within Spring Valley. JJ/jor/jd (For possible action) **10/16/19 BCC**
  
7. **UC-19-0691-WILLIAM LYON HOMES, INC.:**  
**USE PERMIT** for revisions to previously approved modified residential development standards. **DESIGN REVIEW** for two-family dwellings on a portion of 32.1 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone and an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Summerlin South Master Planned Community. Generally located on the south side of Maule Avenue and the west side of Pearland Street within Spring Valley. JJ/md/jd (For possible action) **10/16/19 BCC**
  
8. **ZC-19-0671-JJ REAL ESTATE, INC.:**  
**ZONE CHANGE** to reclassify 1.0 acre from C-P (Office and Professional) Zone to C-2 (General Commercial) Zone for an existing commercial complex. Generally located on the east side of Duneville Street and the south side of Spring Mountain Road within Spring Valley (description on file). JJ/md/jd (For possible action) **10/16/19 BCC**

VII. General Business

1. Appoint a representative and alternate from the Spring Valley Town Advisory Board to serve on the Community Development Advisory Committee (CDAC) for 2018/19. (For possible action)
2. Review/finalize FY 2021 budget request(s) and take public comment on the budget request(s). (For possible action)

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

IX. Next Meeting Date: October 8, 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



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10/15/19 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

SAHARA AVE/MONTESSOURI ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0681-LABORERS INTL UNION LOCAL 872:**

**VACATE AND ABANDON** easements of interest to Clark County located between Sahara Avenue and Laredo Street, and between Belcastro Street and Montessori Street within Spring Valley (description on file). JJ/tk/jd (For possible action)

RELATED INFORMATION:

APN:  
163-10-502-013

LAND USE PLAN:  
SPRING VALLEY - COMMERCIAL GENERAL

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

The applicant is requesting to vacate two, 33 foot wide patent easements that are located in the middle of the office complex, in addition, the applicant is requesting the vacation and abandonment of the remaining 3 foot wide patent easement located on the east side of the subject parcel adjacent to Montessori Street. The applicant indicates that these easements are no longer needed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0291-00	Vacated and abandoned Montessori Street	Denied by the BCC	May 2000
ZC-1189-96 (ET-0272-00)	Second extension of time for a zone change to reclassify 5 acres from R-E to C-2 and C-P zoning	Approved by BCC	September 2000
DR-1724-99	39,900 square foot office complex	Approved by BCC	December 1999
ZC-1189-96 (WC-0446-99)	Waived conditions of a zone change requiring an 8 foot high stucco wall, access to Montessori Street, wall shall continue north, and relocate trash enclosure	Approved by BCC	December 1999
DR-1498-98	Office building	Approved by PC	October 1998

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1189-96 (ET-0338-98)	First extension of time for a zone change to reclassify 5 acres from R-E to C-2 and C-P zoning	Approved by BCC	October 1998
ZC-1189-96	Zone change to reclassify 5 acres from R-E to C-2 and C-P zoning	Approved by BCC	September 1996

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-2	Commercial buildings
South	Commercial General	C-P	Office complex
East	Commercial Neighborhood	C-1	Retail building
West	Commercial General	C-1	Retail building

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

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

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

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

**Public Works - Development Review**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MS NORTHWEST LAND COMPANY**

**CONTACT: ELENA ARELLANO, GCW ENGINEERING, 1555 S. RAINBOW, LAS VEGAS, NV 89146**

**DRAFT**







# VACATION APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	STAFF	DATE FILED: <u>8-26-19</u>	APP. NUMBER: <u>18-19-0681</u>
		PLANNER ASSIGNED: <u>PK</u>	TAB/CAC: <u>Spring Valley</u>
		ACCEPTED BY: <u>TK</u>	TAB/CAC DATE: <u>9/24</u> TIME: <u>6:30PM</u>
		FEE: <u>875</u> CHECK #: <u>1598</u>	PC MEETING DATE: <u>10/15</u> <u>7PM</u>
		COMMISSIONER: <u>JJ</u>	BCC MTG DATE: _____
		OVERLAY(S)? _____	ZONE / AE / RNP: <u>C2</u>
		TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	PLANNED LAND USE: <u>SV LG</u>

PROPERTY OWNER	NAME: <u>MS Northwest Land Company, LLC</u>
	ADDRESS: <u>1215 S. Fort Apache Road, Suite 120</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702-902-5535</u> CELL: _____
	E-MAIL: <u>jbailey@ehbcompanies.com</u>

APPLICANT	NAME: <u>MS Northwest Land Company, LLC</u>
	ADDRESS: <u>1215 S. Fort Apache Road, Suite 120</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702-902-5535</u> CELL: _____
	E-MAIL: <u>jbailey@ehbcompanies.com</u>
	REF CONTACT ID #: <u>195359</u>

CORRESPONDENT	NAME: <u>Elena Arellano c/o GCW Engineering, Inc.</u>
	ADDRESS: <u>1555 S. Rainbow Boulevard</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: <u>702-804-2145</u> CELL: <u>702-804-2145</u>
	E-MAIL: <u>EArellano@gcwengineering.com</u>
	REF CONTACT ID #: <u>187090</u>

ASSESSOR'S PARCEL NUMBER(S): 163-10-502-013

PROPERTY ADDRESS and/or CROSS STREETS: Sahara Avenue & Montessouri Drive (Northwest corner)

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

MS Northwest Land Company LLC

Property Owner (Signature)\* By: EHB Companies LLC, Its: Manager  
 By: Frank Pankratz, Its: Manager


STATE OF NEVADA  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON August 21, 2019 (DATE)  
 By: Frank Pankratz

NOTARY PUBLIC: Sheryl M. Kogan

MS Northwest Land Company LLC

Property Owner (Print)  
 SHERYL M. KOGAN  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Commission Expires: 11-2-2020  
 Certificate No: 84-1289-1



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



840-066

August 26, 2019

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



Subject: Justification Letter to accompany Vacation Application – MS Northwest Land Company, LLC  
Assessor's Parcel Number: 163-10-502-013

To Whom It May Concern:

GCW Engineering has been retained to file the subject application for the property owner, MS Northwest Land Company, LLC. The intent of the application is to vacate government patent easements that are located within the office building at 7135 W. Sahara Avenue. We also seek to vacate a three foot remnant patent easement that remains along the west side of the Montessori Street alignment.

Enclosed for your use in evaluating this request, are the following documents:

- 1 Signed application & disclosure form for MS Northwest Land Company, LLC
- 3 copies of the site plan
- 2 copies of the legal description of areas being vacated
- 2 vacation attachment "Exhibit A" forms
- 2 sets of assessor's parcel maps
- 1 copy of the deed
- 2 sets of the government patent easements
- 2 copies of this Justification letter
- Filing fees in the amount of \$875.00

Please place this application on the next available Spring Valley town board and Clark County Planning Commission agendas. Should you have any questions, please contact the undersigned at 702-804-2145.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elena Arellano', written over the word 'Sincerely,'.

Elena Arellano  
Project Coordinator

1555 South Rainbow Boulevard  
Las Vegas, Nevada 89146



O 702.804.2000  
F 702.804.2299



info@gcwengineering.com  
gcwengineering.com



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10/15/19 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

ELDORA AVE/MILLER LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-19-0703-YEW GODFREY & BAKER KIMBERLY E:**

**VACATE AND ABANDON** easements of interest to Clark County located between Miller Lane and Harbor Hills Lane and between Eldora Avenue (alignment) and Tara Avenue within Spring Valley (description on file). JJ/sd/jd (For possible action)

RELATED INFORMATION:

APN:

163-09-603-014

LAND USE PLAN:

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

BACKGROUND:

**Project Description**

The plans show the vacation and abandonment of a 2 foot wide government patent easement located along the northern property line and a 33 foot wide patent easement along the western property line of the parcel. The applicant states these patent easements will hinder future development of this parcel.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0613-10	Reclassified portions of sections 9 through 13 from R-E to R-E (RNP-I) zoning	Approved by BCC	February 2011
VS-1345-97	Vacated and abandoned right-of-way	Approved by BCC	September 1997

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ELICIA MONTGOMERY

**CONTACT:** CROCKETT WIRTHLIN, 10032 SCENIC WALK AVENUE, LAS VEGAS, NV  
89149



# VACATION APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>		<b>STAFF</b>	DATE FILED: <u>8-30-19</u>	APP. NUMBER: <u>VS 19-0703</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS)			PLANNER ASSIGNED: _____	TAB/CAC: <u>Spring Valley</u>
<input checked="" type="checkbox"/> EASEMENT(S)		ACCEPTED BY: <u>TLB</u>	TAB/CAC DATE: <u>9-24</u> TIME: <u>6:30 PM</u>	
<input type="checkbox"/> RIGHT(S)-OF-WAY		FEE: _____ CHECK #: _____	PC MEETING DATE: <u>10-15-19</u>	
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		COMMISSIONER: <u>JJ</u>	BCC MTG DATE: _____	
		OVERLAY(S)? _____	ZONE / AE / RNP: <u>RE RNP I</u>	
		TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	PLANNED LAND USE: <u>SV RNP</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Godfrey Yew / Kimberly Baker</u>
	ADDRESS: <u>3282 Rabbit Brush Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: <u>702-378-5060</u> CELL: <u>702-378-5060</u>
	E-MAIL: <u>godfrey.yew@gmail.com</u>

<b>APPLICANT</b>	NAME: <u>Montgomery Consulting Engineers, LLC (Elicia Kettles-Montgomery, P.E.)</u>
	ADDRESS: <u>9680 W. Tropicana Avenue, Suite 132</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u>
	TELEPHONE: <u>702-327-4954</u> CELL: <u>702-219-5656</u>
	E-MAIL: <u>elicia@montgomeryengineers.com</u> REF CONTACT ID #: <u>134079</u>

<b>CORRESPONDENT</b>	NAME: <u>Gerald Wirthlin, PLS</u>
	ADDRESS: <u>10032 Scenic Walk Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702-379-9362</u> CELL: <u>702-379-9362</u>
	E-MAIL: <u>gwirthlin@aol.com</u> REF CONTACT ID #: <u>177468</u>

ASSESSOR'S PARCEL NUMBER(S): 163-09-603-014

PROPERTY ADDRESS and/or CROSS STREETS: 2729 S. Miller Lane, Las Vegas, NV 89117

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

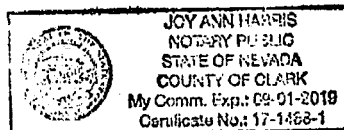
[Signature]  
Property Owner (Signature)\*

Godfrey Yew

Property Owner (Print)

STATE OF NEVADA COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON 8.22.2019 (DATE)

By GODFREY YEW  
NOTARY PUBLIC: Joy Ann Harris



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





Clark County

500 S. Grand Canyon Parkway

Las Vegas, Nevada, 89101

To Whom it may Concern;

This letter is being written as justification for a vacation of the 33 foot Government patent easements across my Lot. The access to the Parcel has been created by Public rights of way, and a Private Drive, so the patent easements are not required. These patent easements will hinder future development of my Parcel.

Thank you,

A handwritten signature in black ink, appearing to read 'Godfrey Yew', with a long horizontal flourish extending to the right.

Godfrey Yew



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10/15/19 PC AGENDA SHEET

MULTIPLE FAMILY  
(TITLE 30)

WARM SPRINGS RD/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-19-0672-WALTERS GROUP:**

**ZONE CHANGE** to reclassify 6.4 acres from C-P (Office and Professional) Zone and C-2 (General Commercial) Zone to R-5 (Apartment Residential) Zone in the CMA Design Overlay District.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; and 2) increase building height.

**DESIGN REVIEWS** for the following: 1) multiple family residential development; and 2) increase finished grade for a multiple family residential development in conjunction with an existing shopping center.

Generally located on the south side of Warm Springs Road and the west side of Cimarron Road within Spring Valley (description on file). MN/jt/d (For possible action)

**RELATED INFORMATION:**

**APN:**

176-09-110-006; 176-09-110-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce front setback to 10 feet where 20 feet is the minimum per Table 30.40-3 (a 50% reduction).
- b. Reduce rear setback to 5 feet where 20 feet is the minimum per Table 30.40-3 (a 75% reduction).
2. Increase building height to 52 feet where 50 feet is the maximum per Table 30.40-3 (a 4% increase).

**DESIGN REVIEWS:**

1. Multiple family residential development.
2. Increase finished grade to 72 inches where 18 inches is the maximum per Section 30.32.040 (a 300% increase).

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL GENERAL

SPRING VALLEY - OFFICE PROFESSIONAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 6.4
- Number of Units: 320
- Density (du/ac): 50
- Project Type: Multiple family
- Number of Stories: 4
- Building Height (feet): 52
- Square Feet: 292,801
- Open Space Required/Provided (square feet): 3,200/69,394

#### **Parking**

- Proposed Multiple Family Development (required/provided): 544/472
- Existing Shopping Center (required/provided): 1,040/1,752
- Combined Total (required/provided): 1,584/2,224

#### **Neighborhood Meeting Summary**

The applicant mailed the required neighborhood meeting notifications to property owners within a 1,500 foot radius of the subject site. A neighborhood meeting was held on August 5, 2019 at the Desert Breeze Community Center. Three people attended the meeting and discussed traffic, the number of units, and the type of use.

#### **Site Plan**

The site plan depicts a multiple family development proposed on a vacant pad site within an existing shopping center. Access to the shopping center is from Durango Drive on the west, Warm Springs Road on the north, and Cimarron Road on the east. No new curb cuts are proposed, and the multiple family development will maintain cross access with the existing shopping center.

Three adjacent multiple family buildings are proposed in the southeast portion of the shopping center. Approximate setbacks to the overall boundary of the shopping center include 240 feet to the north along Warm Springs Road, 240 feet to the east along Cimarron Road, and 50 feet to the south property line. However, waivers of development standards are necessary to reduce the setbacks from the property line surrounding the subject pad site, which includes 10 feet to the north (front) property line and 5 feet to the south (rear) property line.

Parking spaces are provided within the existing shopping center, at ground level surrounding the multiple family development, and within 3 separate parking garages. Each multiple family building is structured with a parking garage in the center of the building with residential units surrounding the outside of the parking garages, and drive aisles are provided around each building. An amenity area is provided on the top of each parking garage in the center of each of the buildings. The middle building courtyard includes a community pool.

### Landscaping

Landscaping includes a sidewalk and landscaping on the north and east sides of the project, which includes the front and side of the overall pad site. This sidewalk provides access to the other uses in the shopping center. Landscaping and amenities are also provided within the central courtyard of each building. The courtyard within the central building will include a resort style pool/spa with cabanas, fire pits, seating, BBQ area, outdoor TV's, and an observation deck. The 2 other courtyards will contain seating, BBQ's, outdoor TV's, outdoor games, and pet areas. No landscaping changes are proposed along the street frontages surrounding the overall shopping center or within the parking lot of the shopping center.

### Elevations

The buildings include a variety of parapet walls along the roofline at different heights and various offset surface planes on the elevations to break-up the apparent mass of the buildings. Overall height of certain parapet walls extend up to a maximum of 52 feet, which necessitates a waiver of development standards; however, the bulk of the buildings are at a lower overall height. Materials include vertical panel siding, ribbed wall panels, slate tile, and burnished CMU block. The residential units on the periphery of the building also include balconies on upper levels and patios on the first level, which add visual interest to the facades.

### Floor Plans

The floor plans depict studios, 1 bedroom units, and 2 bedroom units ranging in size from 635 square feet to 1,144 square feet. Overall unit count includes 17 studio units, 143 one bedroom units, and 160 two bedroom units for a total of 320 units. In addition, the buildings include 5,000 square feet of leasing, recreation, and fitness facilities.

### Signage

Signage is not a part of this request.

### Applicant's Justification

According to the applicant, there is an abundance of existing commercial, office, and medical uses in the immediate area. Additional commercial would struggle to survive as the majority of needed users are already present in the area. Furthermore, with the current vacancies of commercial space, multiple family development would assist with bringing additional customers to the area to support the existing commercial uses. Therefore, the nonconforming zone change request is appropriate and will benefit the area.

### Prior Land Use Requests\*

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1801-04	Design review of the shopping center and office complex with waivers of conditions of ZC-0274-03	Approved by BCC	December 2004
ZC-0274-03	Reclassified the site to C-2 and C-P zoning	Approved by BCC	March 2003

\*Several other applications were submitted for the adjacent shopping center, however the applications listed in this chart are the most relevant to this project.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General & Office Professional	C-2 & C-P	Portions of the existing shopping center including a vehicle fueling station, a vacant pad site, a medical office building, & parking spaces
South	Commercial General & Office Professional	C-2 & C-P	Portions of the existing shopping center including a drive aisle & parking spaces
East	Office Professional	C-P	Portions of the existing shopping center including a medical office building & parking spaces
West	Commercial General	C-2	Portions of the existing shopping center including retail buildings & parking spaces

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

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

The Spring Valley Land Use Plan was last amended in October 2014, and there have been multiple changes in the last several years in this area including the addition of large employment centers. A byproduct of the increased employment opportunities is a sharp increase in housing demand. By way of example, the applicant has developed 2 multiple family residential developments within close proximity to this site, and both projects are currently 98% occupied. In addition, there are several other multiple family developments in the area that are at or near capacity. As a result, the overwhelming need for additional housing in the area constitutes a change in trends that justify the request for a nonconforming zone change to R-5.

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.*

Existing uses surrounding the site include the subject shopping center; commercial and office development farther north across Warm Springs Road, which includes a hospital (St. Rose

Dominican Hospital, San Martin Campus); and a regional park to the south (James Regional Sports Park). The proposed multiple family development will help support the commercial uses in the area, and will serve as a transition between the park and the commercial development. In addition, the site is surrounded by arterial roads on the north and west (Warm Springs Road and Durango Drive, respectively) and a collector road on the east (Cimarron Road), all of which can accommodate the vehicular traffic from the proposed development. As a result, the density and intensity of the multiple family development is appropriate for the area.

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

According to the applicant, the proposed nonconforming zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. Moreover, the development will provide recreational amenities to residents, which will help relieve the burden on Clark County recreational facilities.

However, the Clark County School District indicates that schools in the area, including Steele Elementary School and Canarelli Middle School, were over capacity for the 2018-2019 school year.

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

The proposed multiple family residential development is compatible with several policies in the Comprehensive Master Plan, including the following: Urban Specific Policy 51, which encourages multiple family projects to provide several amenities including usable open space, swimming pools, barbeque pits, and community centers; Policy 54, which encourages parking garages and the arrangement of parking areas into courts to avoid long concrete corridors of parking; Policy 55, which encourages spatial distribution, rather than massing of buildings; and Policy 56, which encourages multiple family developments to be located adjacent to a mix of other land uses, including commercial, office, educational, institutional, and recreational. Consistent with these policies, the proposed project provides a variety of amenities for residents, parking is mostly located within internal parking garages that are screened from view by residential units around the periphery, the elevations of the building include architectural elements to reduce the visual mass, and the site is located within a commercial shopping center and adjacent to a regional park.

#### **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.

## **Summary**

### Zone Change

Although this nonconforming zone boundary amendment is not within the range of residential densities or non-residential intensities indicated on the Spring Valley Land Use Plan, staff finds that the project does satisfy the compelling criteria for approval. For example, a change in trends has dramatically increased the demand for housing in the area since the Land Use Plan was last amended; the density and intensity of the use is compatible with the surrounding shopping center, commercial uses, and regional park; although the development may increase enrollment at surrounding schools that are already over capacity, the project will not have a substantial impact on surrounding infrastructure not already contemplated for the area, such as road capacity; and the development is consistent with several policies in the Comprehensive Master Plan. As a result, staff can support the zone change.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The reduced front and rear setbacks are necessary since the setbacks are calculated to the property lines or right-of-way, whichever is closer, for a residential development. As a result, the project requires a reduced front setback of 10 feet to the north property line of the pad site although Warm Springs Road is approximately 240 feet to the north. Similarly, the project requires a reduced rear setback of 5 feet to the south property line of the pad site, although the south property line of the overall shopping center is approximately 50 feet away from the site. Therefore, staff does not anticipate any negative impacts from the reduced setbacks and can support the requests.

#### Waiver of Development Standards #2

The overall increase in height is minor, and the increase will enable the project to maintain more architectural variety along the roofline. In addition, Urban Specific Policy 55 encourages varied elevations, roof forms, and surface planes in multiple family residential developments. Lastly, the development is located in a shopping center where the adjacent commercial buildings are allowed up to 50 feet in height. As a result, staff does not anticipate any negative impacts from the proposed increase in height.

#### Design Review #1

The proposed multiple family development, which is located within an existing shopping center, complies with several policies in the Comprehensive Master Plan that encourage mixed-use. For example, Urban Specific Policy 11 encourages development that locates complementary land uses such as housing and retail within walking distance of each other; Policy 12 encourages pedestrian connectivity between commercial and residential projects; and Policy 13 encourages the integration of new housing and retail that is less auto-dependent. By locating within an



existing shopping center, maintaining vehicular cross access, and creating a safe and comfortable pedestrian connection between the residential and existing commercial uses, the development is consistent with the policies of the Master Plan. Therefore, staff can support the request.

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

#### Design Review #2

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

#### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 20, 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**

- Resolution of Intent to complete in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Department of Aviation**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0064-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: WARMINGTON APARTMENT COMMUNITIES, INC  
CONTACT: VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146**

**DRAFT**



# LAND USE APPLICATION


## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b> DATE FILED: <u>8/22/19</u> PLANNER ASSIGNED: <u>TA</u> ACCEPTED BY: <u>STJ</u> FEE: <u>\$2875</u> CHECK #: <u>10268/10269/10270</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>CMA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: <u>N/A</u>	APP. NUMBER: <u>NZC-19-0672</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC MTG DATE: <u>9/24</u> TIME: <u>6:30</u> PC MEETING DATE: <u>10/15</u> TIME: <u>7P</u> BCC MEETING DATE: <u>11/20</u> TIME: <u>9AM</u> ZONE / AE / RNP: <u>C-2 + C-P to R-5</u> PLANNED LAND USE: <u>SVCG + SVOP</u> NOTIFICATION RADIUS: <u>1500</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: <u>N/A</u> COMMENCE/COMPLETE: <u>N/A</u>	
	<b>PROPERTY OWNER</b> NAME: <u>WALTERS GROUP</u> ADDRESS: <u>2030 EAST FLAMINGO ROAD, SUITE # 290</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____		
	<b>APPLICANT</b> NAME: <u>WARMINGTON APARTMENT COMMUNITIES</u> ADDRESS: <u>6725 VIA AUSTI PARKWAY</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702)248-4883</u> CELL: _____ E-MAIL: <u>grego@warmingtongroup</u> REF CONTACT ID #: _____		
	<b>CORRESPONDENT</b> NAME: <u>VTN-NEVADA</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702)873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: <u>192090</u>		

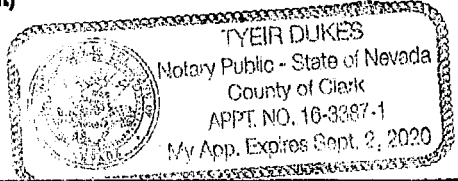
ASSESSOR'S PARCEL NUMBER(S): 176-09-110-006 and 014  
 PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Road and Durango Drive  
 PROJECT DESCRIPTION: A NCZC from C2 and C-P to R5 on 6.41 Acres

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

  
 Property Owner (Signature)\*

Michael E. Kuehner  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON August 20, 2019 (DATE)  
 By Michael Eugene Kuehner  
 NOTARY PUBLIC: [Signature]



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



**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

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JENNIFER LAZOVICH

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CARSON CITY OFFICE  
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Fax: 775.862.0267

August 21, 2019

**VIA HAND DELIVERY**

Mr. Jared Tasko  
CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

*Re: Compelling Justification Letter - Non-Conforming Zone Change  
Warmington Apartment Communities, Inc.  
APNs: 176-09-110-006 and 014*

Dear Mr. Tasko:

This firm represents Warmington Apartment Communities, Inc. (the "Applicant"), in relation to the above referenced matter. The Applicant is requesting a non-conforming zone change and design review to allow for a multi-family residential project on property located at near corner of Durango and Warm Springs (the "Site"). The Site is more particularly known as Accessor's Parcel Numbers 176-09-110-006 and 014.

The Site is located east of Durango Drive and south of Warm Springs Road on approximately 6.41 +/- acres of land within the Desert Marketplace development. The proposed 320-unit apartment complex will have a density of approximately 49.92 +/- DU per acre and be constructed on vacant land to be owned by the Applicant.

**Nonconforming Zone Change From C-2 and C-P to R-5:**

The Spring Valley Land Use Plan Designation for the Site is Commercial General (CG) and Office Professional (OP). However, this request satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

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

The Spring Valley Land Use Plan was last amended in October of 2014. There have been multiple changes the last several years within the southwest sector. Large employment centers have been developed and now are operating in the southwest portion of the valley. A



byproduct of the increased employment opportunities is a sharp increase in housing demand for the area.

By way of example, the Applicant has developed two (2) multi-family residential developments within close proximity of the Site, both of which are above 98% occupied (The Clubs at Rhodes Ranch and Solana). Several other multi-family developments have been recently approved throughout the southwest area of the valley, most of which are at or near full occupancy soon after completion. For example, the Zone5 Apartment complex located at the northwest corner of the 215 and Buffalo Drive. The Zone5 Apartment complex was approved for a non-conforming zone change to R-4 for a multi-family complex. The development was ultimately finished around the early part of 2016 and today is currently at a 98% occupancy rate. In addition to the Zone5, there are other multi-family apartments that are at or near full occupancy including:

- Level 25 at Durango (Durango & Post) – 100% occupancy
- The Wyatt (Buffalo and Badura) – 95% occupancy
- South Beach (Russell and 215) – 98% occupancy
- Aspire (Tropicana and 215) – 97% occupancy

Based on these recent apartment developments in the valley, and the overwhelming demand for additional housing (as more fully discussed below), these trends support the request for the proposed development.

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

With the existing commercial development to the north of the Site and a planned County park to the south of the Site, the density and intensity of this proposed use is compatible with the surrounding area. The proposed multi-family use on the Site will not only help to support the existing commercial in the area, it will act as an ideal transitional parcel to the planned park to the south.

Further, the Site is located near Warm Springs and Durango, both heavily travelled 100-foot right of ways. These roads are intended to support high volumes of traffic. Therefore, the overall density and intensity is compatible with the area and the Site is the ideal transitional piece for the area and planned uses.

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





The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. Moreover, the Site will provide recreational amenities which will not burden Clark County recreation facilities. The project does not include any three bedroom units, which will discourage large families. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

Pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Here, the Site is located adjacent to existing commercial with quick access to the Durango, Warm Springs and the 215 Beltway. The Site is located near public facilities and mass transit stops necessary to support multi-family development and it is near commercial uses and other multi-family development residential in the surrounding areas. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- Policy 51 encourages multi-family projects to provide several amenities including usable open space, swimming pools, barbeque pits, and community centers. Here, the multi-family units will have complete use of the clubhouse, pool and other usable open space amenities.
- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements.
- Policy 54 encourages parking garages and the arrangement of parking areas into courts to avoid long concrete corridors of parking. Here, the parking is split between two large parking garages on the west and east sides of the Site.
- Policy 55 encourages spatial distribution rather than the massing of buildings. Here, the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- Policy 56 encourages multi-family to be located adjacent to a mix of other land uses, including commercial, office, educational, institutional and recreational. Here, the Site is adjacent to an existing commercial shopping center and property planned for a County park. Additionally, Sierra Vista High School is located approximately one block southeast of the Site.

As such, the Site design meets the goals and polices set forth in the Urban Land Use Policies.



The commercial shopping center located directly north of the Site was constructed in 2009. The property owners of the subject Site have been marketing the Site for ten (10) years as a commercial and office piece and have not had any large box or office users express interest. Due to the amount of and variety of already existing commercial in the immediate area (approximately 1 million square feet), new commercial tenants are not interested in the location. Below is a list of several of the existing commercial and office users in the immediate area:

- Smiths Grocery
- Vons Grocery
- Wells Fargo, Chase Bank, US Bank, Washington Federal
- St. Rose Dominican Hospital
- Desert Orthopedic Center
- Cimarron Medical Campus
- Palm Mortuary
- Home Goods and TJ Maxx
- Big 5 Sporting Goods
- Rhodes Ranch Dental
- Eye Care at Rhodes Ranch
- Lee's Discount Liquor
- Extra Space Mini-Storage
- Walgreens
- Discount Tire
- EOS Fitness and Yak's Fitness
- City Light Church
- UPS Store
- Dry cleaners, nail salons, smoke shops
- Office complexes
- Dozens of restaurants including family sit down restaurants and drive-thrus.

Not only is there is an abundance of existing commercial, office and medical in the immediate area, there is vacant commercial space. Additional commercial would struggle to survive as the majority of needed users are already present in the area. Furthermore, with the current vacancies of commercial space, multi-family would assist with bringing additional customers to the area to support these already existing spaces. Therefore, the nonconforming zone change request from C-2 to R-5 is not only appropriate, but necessary.



**Design Review For Project and Increase Grade:**

The site is surrounded by the following:

- a. North: Existing Parking Lot for Desert Marketplace
- b. South: Vacant Land (Zoned PF- Public Facility) (CC Park Site)
- c. East: Vacant Lands
- d. West: C-2 (Commercial)

The plans depict a proposed 320-unit apartment complex that will feature a community pool and spa with clubhouse, fitness room and leasing center. There are three (3) building types, four (4) stories in height, at a maximum height of approximately 50-feet with a contemporary color palette.

Each model has potential variations including covered porches, building pop-outs, etc. Top of the class kitchens in these apartments feature granite countertops and upscale cabinetry, as well as stainless steel appliances of all sorts. They also feature big islands and breakfast bars, which add both to the modern design and the functionality of the space. Tile floors, as well as unique furnishings enrich the modern style of community living. Besides enjoying the luxury of the apartments, there is a variety of amenities within the complex that residents can use. All elevations on the plans depict fenestration on windows and doors and enhanced architectural elements.

The floor plans show studios, one and two-bedroom units ranging in size from 635 square feet to 1,144 square feet (livable area). The apartments with unique style and all the great appliances and features, you get to enjoy various amenities throughout the complex, including 5,000 square feet of leasing, recreation and fitness facilities. There will be three separate courtyards. The central courtyard (Building A) will include a resort style pool/spa with cabanas, fire pits, seating, BBQ area, outdoor TV's and an observation deck. The two other courtyards (Buildings b and C) will contain seating, BBQ's, outdoor TV's, outdoor games and pet areas.

There will be a gated access into each of the proposed apartment complexes, with gated parking located under each of the buildings. The primary access to the site will be via the internal driveways from Desert Marketplace development. There will also be access from the private street directly south of the site.

The Applicant proposes to use a portion of the permitted shared parking schedule per Title 30.60.0365 to satisfy the parking requirements. The existing commercial development is immensely over parked; specifically, the parking lot between the medical offices to the east, and the retail to the west. This parking lot (which is immediately north of the proposed project) has over 100 spaces and is essentially empty at all hours of the day. These parking spaces can be used in addition to the provided parking spaces shown on the site plan.



We are also seeking a design review to increase finished grade greater than 18 inches. Given the uses surrounding the Site, this design review will not negatively impact the surrounding area.

**Project Description:**

The project consists of a 6.41 acre which will be developed as a 320-unit, apartment residential development. The site will have gated vehicular access entrance from the interior of Desert Marketplace, and an exit-only egress to the private street south of the property. Currently the site is zoned C2 (General Commercial and (CP) Office and Professional. The existing land use designation is (CG) Commercial General and (OP) Office Professional. The applicant is proposing to develop the property as a R-5 (Apartment Residential District) development as follows:

1. Building A – 91 Apartments Units
2. Building B – 97 Apartments Units
3. Building C – 132 Apartment Units

<u>Building Type</u>	<u>Apartment Type</u>	<u>Units 1 / 2 Bedrooms</u>
Building A	Studio Apartments	4 Units
	1- Bedroom Apartments	29 Units
	2-Bedroom Apartments	58 Units
Building B	Studio Apartments	3 Units
	1- Bedroom Apartments	45 Units
	2- Bedroom Apartments	49 Units
Building C	Studio Apartments	10 Units
	1-Bedroom Apartments	69 Units
	2-Bedroom Apartments	53 <u>Units</u>
Total Studio Apartments Units:		17 Units or 5.3%
Total (1) bedroom Units Proposed:		143 Units or 44.7%
Total (2) Bedroom Units Proposed:		160 Units or 50.0%
<b>Total Units Proposed</b>		<b>320/6.41 acres = 49.92/acre</b>





**Parking Calculations**

Studio Apt	1.25 Spaces/Unit	(17 x 1.25)	21.25 Spaces
1 Bedroom	1.25 Spaces/Unit	(143 x 1.25)	178.75 Spaces
2 Bedroom	1.75 Spaces / Units	(160 x 1.75)	280.0 Spaces
Total Space Required			480.0 Spaces
<u>Handicap (Title 30.65-5) (401 to 500) Spaces</u>			9.0 Spaces (of 480 spaces)
<u>Guest Parking (Title 30.60-1) (320 x 0.2) Spaces</u>			64 Spaces
<b>Total Parking Required:</b>			<b>553 Spaces</b>

Bicycle Parking (Title 30.60.d) (1 per 40 units) 8 Spaces required

**Provided**

Garaged Parking (including 10 Handicap Spaces)	369 Spaces
Uncovered/Surface Parking	103 Spaces
Guest Parking	64 Spaces+17 Shared Space
Handicap Parking	(10 Spaces)
<b>Total Parking Provided</b>	<b>553 Spaces Provided</b>

**Existing Parking**

The Desert Marketplace development provides 2,078 total parking spaces for the development as approved:

1. Building Square Footages = 44,950 sf
2. Parking Required = 1,855 spaces
3. Parking Provided = 2,078 spaces (+ 223 spaces over)
4. Parking Ratio = 4.75/1,000

**Current Buildout**

1. Building Square Footages = 259,830 sf.
2. Parking Required = 259,830 / 1,000 = 259.83 (259.83 x 4 = 1,039,32 spaces)
3. Parking Provided = 1,752 spaces (+ 712.68 spaces over)

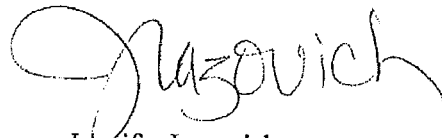
The proposed residential will utilized 81 of the existing parking spaces to satisfy the guest parking requirement for this development.



Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL

A handwritten signature in cursive script that reads "Lazovich". The signature is written in black ink and is positioned above the printed name.

Jennifer Lazovich

JJI/sfm

cc: Greg Oberling



10/15/19 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 29)

FORT APACHE RD/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VC-19-0690-HERNANDEZ, JESSE KALEB:**

**VARIANCES** for the following: 1) reduce the rear setback for an existing accessory structure; and 2) reduce the separation between an existing accessory structure and an existing principal structure (single family residence) in conjunction with a single family residence on 0.1 acres in an R-3 (Multiple Family Residential) Zone in the Rhodes Ranch Master Planned Community.

Generally located on the north side of Warm Springs Road, 555 feet east of Fort Apache Road within Spring Valley. JJ/md/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-05-413-102

**VARIANCES:**

1. Reduce the rear setback for an existing accessory structure to zero feet where a minimum of 5 feet is required (a 100% reduction).
2. Reduce the separation between an existing accessory structure and an existing principal structure to 5 feet where 10 feet is required per Section 29.20.050 (a 50% reduction).

**LAND USE PLAN:**

SPRING VALLEY - MAJOR DEVELOPMENT PROJECT (RHODES RANCH - SINGLE FAMILY RESIDENTIAL)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 7296 Plushstone Street
- Site Acreage: 0.1
- Project Type: Accessory structure
- Number of Stories: 1
- Building Height (feet): 9.5
- Square Feet: 20.5

Site Plan

The plan depicts an existing 1 story, 20.5 square foot accessory structure (capilla) in conjunction with an existing 2,381 square foot single family residence. The accessory structure is located

4

along the south (rear) property line of the subject property and is set back a minimum of 10 feet from the abutting right-of-way being Warm Springs Road. There is 5 feet of separation between the accessory structure and the nearest support post of the existing patio cover that is attached to the residence. Access to the site is granted via an existing driveway located along Plushstone Street, a private street.

Landscaping

There are no changes proposed to the existing landscaping.

Elevations

The existing accessory structure is 9.5 feet in height consisting of faux stone. The structure consists of neutral, earth tone colors.

Floor Plans

The plans depict a maximum floor area of 20.5 square feet.

Applicant's Justification

The accessory structure (capilla) is a personal, religious structure that cannot be occupied. The purpose of the structure is to honor the applicant's late grandfather. The structure brings peace and tranquility to the applicant's family and serves as a place to worship.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, East, & West	Major Development Project Single Family Residential	R-3	Single family residential development
South	Major Development Project Single Family Residential	R-2	Single family residential development

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff cannot support the variance since the proposed request is a self-imposed hardship. The findings for a variance state that the applicant has the burden of proof to show that because of exceptional narrowness, shallowness, shape, or topographic condition or an extraordinary or exceptional situation, that strict application of the Zoning Code would result in peculiar or exceptional difficulties to the development of the property. This is a regularly shaped rectangular lot with no unique or special characteristics. Staff finds that the applicant has not provided evidence that a variance should be approved in this situation.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 1 year to complete and to obtain any required building permits, if necessary.
- 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**

- No comment.

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

- No comment.

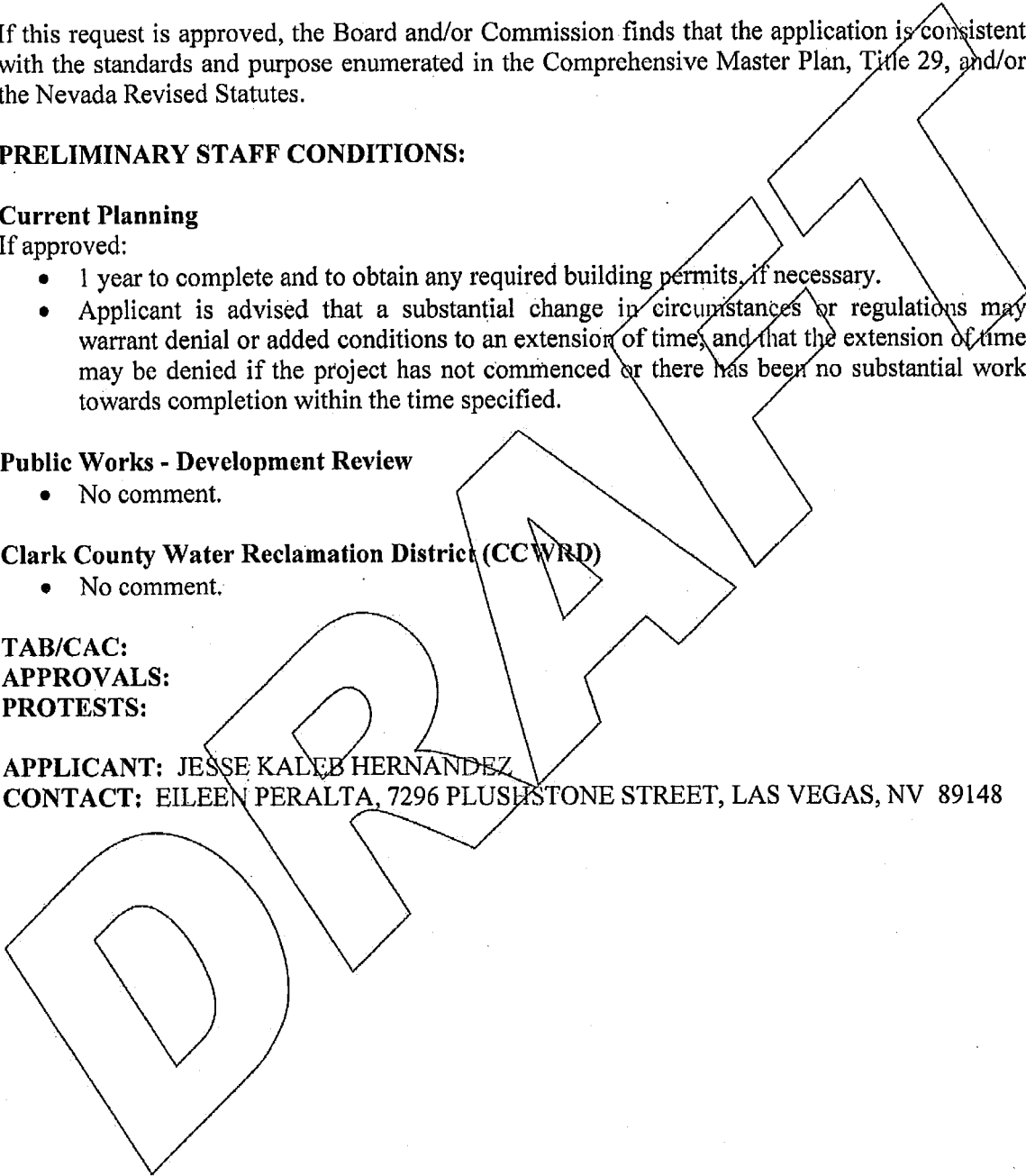
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JESSE KALEB HERNANDEZ**

**CONTACT: EILEEN PERALTA, 7296 PLUSHSTONE STREET, LAS VEGAS, NV 89148**









# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

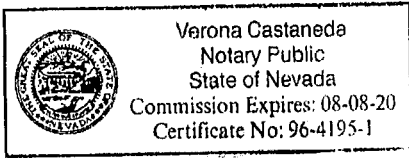
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  <input type="checkbox"/> APPLICATION REVIEW (AR)	<b>STAFF</b> DATE FILED: <u>8/28/19</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$475.00</u> CHECK #: <u>3176</u> COMMISSIONER: <u>JONES</u> OVERLAY(S)? <u>MOP</u> PUBLIC HEARING? <u>M/N</u> TRAILS? <u>X/1</u> PFNA? <u>X/1</u> APPROVAL/DENIAL BY: <u>-</u>	APP. NUMBER: <u>VC-19-690</u> TAB/CAC: <u>SARENS VALLEY</u> TAB/CAC MTG DATE: <u>9/24/19</u> TIME: <u>6:30</u> PC MEETING DATE: <u>10/15/19 7:00 P.M.</u> BCC MEETING DATE: <u>-</u> ZONE / AE / RNP: <u>R-3/None/None</u> PLANNED LAND USE: <u>RHOES RANCH</u> NOTIFICATION RADIUS: <u>500'</u> SIGN? <u>X/1</u> LETTER DUE DATE: <u>-</u> COMMENCE/COMPLETE: <u>-</u>	
	<b>PROPERTY OWNER</b> NAME: <u>Jesse Kaleb Hernandez</u> ADDRESS: <u>7296 Plushstone St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-460-0326</u> CELL: <u></u> E-MAIL: <u>babyleen2@yahoo.com</u>	<b>APPLICANT</b> NAME: <u>Jesse Kaleb Hernandez</u> ADDRESS: <u>7296 Plushstone St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-460-0326</u> CELL: <u></u> E-MAIL: <u>babyleen2@yahoo.com</u> REF CONTACT ID #: <u></u>	<b>CORRESPONDENT</b> NAME: <u>Eileen Peralta</u> ADDRESS: <u>7296 Plushstone St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-460-0326</u> CELL: <u></u> E-MAIL: <u>babyleen2@yahoo.com</u> REF CONTACT ID #: <u></u>

ASSESSOR'S PARCEL NUMBER(S): 176-05-413-102  
 PROPERTY ADDRESS and/or CROSS STREETS: 7296 Plushstone St. Las Vegas NV 89148  
 PROJECT DESCRIPTION: Capilla

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

Property Owner (Signature)\* [Signature] Property Owner (Print) Jesse Kaleb Hernandez

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON August 19, 2019 (DATE)  
 By Jesse Kaleb Hernandez  
 NOTARY PUBLIC: Verona Castaneda



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



Jesse Kaleb Hernandez  
7296 Plushstone Street  
Las Vegas, Nevada 89148

August 19, 2019

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

PLANNER  
COPY

VC-19-0690

Dear Clark County:

I am requesting a variance to reduce rear yard setback for a accessory structure "Capilla" to 0 feet where a minimum of 5 feet is required and to reduce the separation between the existing accessory structure "Capilla" and the existing patio cover to 5 feet where 10 feet is minimum separation required for a Capilla in the back yard of my home located on the corner of West Warm Spring Road and South Plushstone Street. The Capilla is a detached personal religious accessory, it is non-occupiable and the floor area is 20 square feet. The purpose of the Capilla is very special to my entire family especially my 85 year old Grandmother because it honors my late Grandfather that passed away on April 9, 2019 it brings peace and tranquility to us and is a place to worship our Saint. My home is located on a corner lot which causes the block wall to take up room from my yard since it is not at an even angle.

If you have any questions please do not hesitate to contact Eileen Peralta at (702) 489-9400.

Sincerely,



Jesse Kaleb Hernandez  
Property Owner



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10/16/19 BCC AGENDA SHEET

PRIVATE RECREATIONAL FACILITY/  
ALCOHOL SALES  
(TITLE 29)

MAULE AVE/FORT APACHE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-19-0659-WATER PARK, LLC:**

**DESIGN REVIEW** for incidental alcohol service areas in conjunction with a recreational facility (waterpark) on 17.2 acres in an R-E (Rural Estates Residential) P-C (Planned Community Overlay District) Zone in Village 16A in the Summerlin South Master Planned Community.

Generally located on the west side of Fort Apache Road, 620 feet south of Maule Avenue within Spring Valley. JJ/jvm/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
176-06-701-010

**LAND USE PLAN:**  
SPRING VALLEY - MAJOR DEVELOPMENT PROJECT (SUMMERLIN SOUTH) -  
PARK/OPEN SPACE

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

- Site Address: 7055 S. Fort Apache Road
- Site Acreage: 17.2
- Project Type: Private recreational facility (incidental alcohol sales)
- Square Feet: 3,400 (proposed cabana areas)/3,000 (proposed group tent areas)

Site Plan & History

UC-0887-15 was approved in February 2016 which allowed for the incidental sale of alcohol throughout the recreational facility (waterpark); however, a 1 year review was not completed and therefore, the application expired.

The site is developed as a private recreational water park with incidental alcohol sales that were limited to a 1,500 square foot fenced patio area. The patio area is adjacent to a food and beverage building located toward the center of the site. Wet 'n' Wild of Las Vegas is now requesting to expand the service area to include cabanas and a group tent area. If approved, patrons would then be able to order either beer or wine through a server who would bring the drinks to the cabanas.

**Floor Plans**

The plans depict 35 cabanas totaling 3,400 square feet located throughout the site. The 3,000 square foot group tent area is located near the northern portion of the site.

**Applicant's Justification**

The applicant indicates that they will continue to ensure that alcohol is only served to patrons over 21 years of age and in a safe manner. In addition, no alcohol will be served on days when Faiss Middle School is in session and the use will be limited to beer and wine.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0887-15	Allowed incidental alcohol sales throughout the recreational facility - expired	Approved by BCC	February 2016
UC-0044-15	Revisions made to a private recreational facility (water park), and a design review for an incidental alcohol service area - expired	Approved by BCC	March 2015
UC-0664-12 (ET-0158-14)	First extension of time for the private recreational facility (water park)	Approved by BCC	February 2015
UC-0664-12	Future expansion to a private recreational facility (water park) and allow a temporary parking lot in conjunction with a private recreational facility	Approved by BCC	December 2012
UC-0091-11	Allowed a community park, aquatic center, and recreational facility (waterpark)	Approved by BCC	June 2011

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project - School/Public Facilities	P-F	Faiss Middle School
South	Residential High	R-2	Single family residential
East	Major Development Project - Single Family Residential & Multi-Family Residential	R-2 & R-3	Single family & compact lot single family
West	Major Development Project - Single Family Residential	R-2	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff finds that this request is incidental to the park and will function as an additional secondary accommodation for the adult patrons. Furthermore, since the original application was approved there have not been any violations filed with the Clark County Public Response Office associated with the water park. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 29, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Alcohol to be served only on non-school days for Faiss Middle School;
- Alcohol service area and consumption limited to area shown on plans.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and 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: TIM AYALA**

**CONTACT: TIM AYALA, 5909 W. WASHINGTON AVENUE, LAS VEGAS, NV 89107**





10/16/19 BCC AGENDA SHEET

BUILDING ADDITION  
(TITLE 30)

HUALAPAI WY/DISCOVERY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-19-0664-SUMMERLIN SURGERY CENTER, LLC:**

**DESIGN REVIEW** of a building addition for an existing medical office in conjunction with an existing commercial/office complex on 0.6 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Hualapai Way, 164 feet south of Discovery Drive (alignment) within Spring Valley. JJ/jor/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
163-18-314-007

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

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

- Site Address: 3860 S. Hualapai Way
- Site Acreage: 0.6
- Project Type: Building addition to medical office
- Number of Stories: 1
- Building Height (feet): 22 (maximum)
- Square Feet: 5,525 (existing medical office)/1,540 (proposed building addition)
- Parking Required/Provided: 498/550 (entire complex)

Site Plan

The site plan depicts an existing commercial/office complex located east of Hualapai Way, south of Twain Avenue, and north of the 215 Beltway. Access to the site is located via driveways along Hualapai Way and Twain Avenue. ZC-0653-99 and ZC-1312-00 reclassified the site from R-E zoning to C-1 zoning (northeast portion of the overall complex) and C-2 zoning. Per the Notice of Final Action of the aforementioned zone changes, all phases of development and significant changes to the plans require a design review to be reviewed by the Board of County Commissioners.

Currently, the existing medical office parking spaces are located on the east and west sides of the building, with landscaping located on the south side of the office. The applicant is proposing a

building addition to the south side of the existing medical office and eliminating the existing 7 parking spaces and landscaping along the south side of the building. The parking analysis shows that the shared parking and cross access provides adequate circulation and parking for employees and customers. There are 550 parking spaces throughout the entire complex, where 498 parking spaces are required.

Landscaping

The plan shows that since the building addition will remove 7 existing parking spaces and existing landscaping, new landscaping will be added adjacent south of the building addition. The landscaping will include groundcover and shrubs to match the existing site and all required landscaping will remain on-site.

Elevations

The existing medical office has an overall height of 22 feet with embellished wall paneling to remain. The submitted elevation plan shows that the building addition is located on the south side of the medical office and the exterior features will match the existing building and the overall height of the expansion is 21 feet. Exterior finishes include light grey stucco and a grey honed CMU cap finish.

Floor Plans

The submitted floor plan depicts the proposed building addition has an overall area of 1,540 square feet. The expansion will include new exam rooms, seating area, clinic station, storage room, and restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the building addition to the existing medical office will include new exam rooms and ancillary areas for staff. The building expansion will accommodate more patients and contribute to the medical office's overall function. The hours of operation and existing use will remain the same. The proposed building addition will be aesthetically pleasing and will match the existing office building.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1190-04	Office building within an existing commercial/office complex – a part of this application	Approved by BCC	August 2004
DR-2011-03	Revised site design for previously approved commercial/office complex – not a part of this application site	Approved by BCC	February 2004
DR-1305-03	Retail buildings in conjunction with an approved commercial complex – not a part of this application site	Approved by BCC	September 2003

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-0194-03 (ZC-0653-99)	Second extension of time to reclassify the site from R-E and C-1 zoning to C-2 zoning	Approved by BCC	September 2003
DR-0449-03	Office complex on a portion of 9.3 acres in a C-1 and C-2 zone	Approved by BCC	April 2003
ET-400270-01 (ZC-0653-99)	First extension of time to reclassify the site from R-E and C-1 zoning to C-2 zoning – not a part of this application site	Approved by BCC	September 2001
ET-400254-01 (DR-1000-00)	First extension of time of a design review for a shopping center	Approved by PC	August 2001
ET-400232-01 (ZC-1312-00)	First extension of time to reclassify 5 acres from C-1 zoning to C-2 zoning – not a part of this application site	Approved by BCC	August 2001
ZC-1312-00	Reclassified 5 acres from C-1 zoning to C-2 zoning for a hotel - vehicle wash, and vehicle maintenance were denied and hotel was not constructed – not a part of this application site	Approved by BCC	October 2000
DR-1000-00	For a shopping center which includes a tavern, convenience store, gasoline station, and restaurant – not a part of this application site	Approved by PC	August 2000
ZC-0653-99	Reclassified 12.5 acres from R-E and C-1 zoning to C-2 zoning for a shopping center – subject to a reduction to C-1 zoning for the 2 north easternmost parcels	Approved by BCC	September 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-2 & C-1	Shopping center & office complex
South	Commercial Neighborhood	C-2	Office building
East	Residential Suburban (up to 18 du/ac)	R-3	Multi-family complex
West	Commercial – Summerlin South	C-2	Undeveloped parcels

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff has no objection to the proposed building addition. The plans depict a design that is compatible to the existing building and the overall complex. The building addition does not pose any negative impacts to the site circulation, parking, and building schematics; therefore, staff is in support of this design review.

**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 for landscaping south of the building addition.
- 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: BRYSON RICHARDS**

**CONTACT: BARRETT POWLEY, ENCOMPASS STUDIO, 241 WEST CHARLESTON BOULEVARD, SUITE 155, LAS VEGAS, NV 89102**



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

<b>STAFF</b>	DATE FILED: <u>8/20/19</u> PLANNER ASSIGNED: <u>JAP</u> ACCEPTED BY: _____ FEE: <u>\$1675</u> CHECK #: <u>3575</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>MUD-4</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? Y/ <u>N</u> PFNA? Y/ <u>N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>DR-19-0664</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC MTG DATE: <u>9/24</u> TIME: <u>030</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/16/19</u> ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>CG</u> NOTIFICATION RADIUS: <u>300</u> SIGN? Y/ <u>N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b> NAME: <u>Summerlin Surgery Center LLC</u> ADDRESS: <u>3860 S. Hualapai Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-870-7070</u> CELL: _____ E-MAIL: <u>bryson.g.richards@gmail.com</u>	<b>APPLICANT</b> NAME: <u>Bryson Richards - Summerlin Surgery Center, LLC</u> ADDRESS: <u>3860 s. Hualapai Way</u> CITY: <u>las vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-870-7070</u> CELL: _____ E-MAIL: <u>Bryson.g.richards@gmail.com</u> REF CONTACT ID #: <u>195026</u>
	<b>CORRESPONDENT</b> NAME: <u>Encompass Studio. Barrett Powley</u> ADDRESS: <u>241 W. Charleston Blvd, Suite 155</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-733-7759</u> CELL: <u>702-379-0035</u> E-MAIL: <u>barrett@estudiovegas.com</u> REF CONTACT ID #: <u>126351</u>	

ASSESSOR'S PARCEL NUMBER(S): 16318314007

PROPERTY ADDRESS and/or CROSS STREETS: HUALAPAI and Discovery Drive

PROJECT DESCRIPTION: New 1,540 sf Addition to the existing south wall of the medical office building

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

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

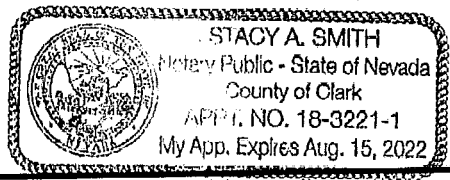
Bryson Richards  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 14 Aug 2019 (DATE)

By Bryson Richards

NOTARY PUBLIC: [Signature]



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





DR-19-0664

August 16, 2019

Clark County Comprehensive Planning Department  
500 S. Grand Central Parkway  
Las Vegas, NV 89155-1741

Re: **Justification Letter – Design Review**  
Summerlin Surgery Center, LLC  
3860 S. Hualapai Way, Las Vegas, NV 89147  
APN 163-18-314-007

To whom it may Concern:

The purpose of this letter is to justify the addition of 1,540 sf of occupiable/conditioned space to the existing south wall of an existing single-story medical office building situated on Hualapai Way at Discovery Drive.

The existing building with the associated new addition is surrounded by sidewalks, landscaped areas and paved parking on all but the north side of the building where there is situated an existing non-associated building.

Setback requirements will be not be encroached into by the proposed improvements, although the south face of the proposed addition will abut an existing east/west property line identified as S88°50'56"W 219.92' that traverses the existing paved parking lot in an east/west direction.

The proposed height of the addition at this interface is 21'-0", well within existing height limitations for a building of the current purpose. The south, west and east elevations of the addition will feature finishes that match those of the existing building and all three new walls of the addition will not feature any door(s) or window(s) openings. In keeping with the character of the existing building the roof will be flat and not project above the height of the existing building. Although the proposed addition is oriented towards existing parking lot drive aisles, existing circumstances are such that the incorporation of the proposed construction will not impact the existing code compliant conditions.

There will be no change to the existing use and hours of operation are to remain 8:00 am to 5:00 pm Monday through Friday.

Sincerely,

ENCOMPASS STUDIO

Barrett Powley, AIA LEED AP  
Principal

cc: Dante Amato, AIA/Project Manager

principals:

Barrett Powley, architect 5492  
Deb Hopson, registered interior designer 056

241 W Charleston Blvd, Suite 155, Las Vegas, NV 89135 | 702.733.7759





10/16/19 BCC AGENDA SHEET

TWO-FAMILY DWELLINGS  
(TITLE 29)

MAULE AVE/PEARLAND ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0691-WILLIAM LYON HOMES, INC.:**

**USE PERMIT** for revisions to previously approved modified residential development standards. **DESIGN REVIEW** for two-family dwellings on a portion of 32.1 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone and an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Summerlin South Master Planned Community.

Generally located on the south side of Maule Avenue and the west side of Pearland Street within Spring Valley. JJ/md/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-06-712-014; 176-06-714-001 through 176-06-714-012; 176-06-714-014; 176-06-714-015; 176-06-714-017 through 176-06-714-020; 176-06-714-025 through 176-06-714-028; 176-06-714-039; 176-06-714-045 through 176-06-714-048; 176-06-714-080 through 176-06-714-083

**USE PERMIT:**

1. a. Reduce the front setback to 10 feet from back-of-curb (where there is no sidewalk) where 14 feet is required (a 29% reduction).
- b. Zero side lot line setback permissible with 5 foot setback where a 10 foot setback is required on opposite side yard for two-family dwellings (a 50% reduction).
- c. Reduce the rear setback to 10.5 feet where 15 feet is required (a 30% reduction).

**LAND USE PLAN:**

SUMMERLIN SOUTH - MAJOR DEVELOPMENT PROJECT (SUMMERLIN SOUTH) - MULTI-FAMILY

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 32.1
- Number of Lots: 205
- Density (du/ac): 6.4
- Minimum/Maximum Lot Size (square feet): 3,570/8,308 (gross)/3,559/8,308 (net)
- Project Type: Two-family dwellings

- Number of Stories: 1
- Building Height (feet): 18.5
- Square Feet: 1,942 to 1,946

#### Site Plan & Request

DR-17-1082 and TM-17-500217 were previously approved by the Board of County Commissioners (BCC) in February 2018 for a single family residential development consisting of 205 lots at a density of 6.4 dwelling units per acre. The applicant is now requesting to construct 43, two-family dwelling units on 86 lots that will be randomly dispersed throughout the existing single family residential development. The 32.1 acre project site features mixed layer zoning consisting of R-2 and R-3 zoning districts that were approved by the BCC in October 2013 via ZC-0527-13. The R-3 zoning district permits two-family dwelling units by right; however, the applicant is requesting revisions to the previously approved modified development standards (ZC-0527-13) to reduce the front, side, and rear setbacks for the proposed residential units. The garages featured with the 2 family dwelling units will maintain a 19 foot setback from back of curb. The number of residential lots, the boundaries of the residential lots, and the acreage of the overall development will remain unchanged with this request.

The previously approved plans depict a gated residential development totaling 205 single family lots and 14 common area lots on 32.1 acres. The density of the residential subdivision is 6.4 dwelling units per acre. The square footage for some of the corner lots within the interior of the site includes a landscape easement between the lot line wall and the private street. Therefore, the net lot area (the useable area) of these lots range from a minimum of 3,559 square feet to a maximum of 8,308 square feet. The internal streets are private and will be 42 feet in width including a 4 foot wide sidewalk on 1 side of the street. There is 1 point of access from Copper Edge Road to the southwest and 1 secondary egress point on Pearland Street to the east.

#### Landscaping

The previously approved landscape plans depict a landscape element along Copper Edge Road, Maule Avenue, and Pearland Street which is part of the Summerlin South Master Homeowners Association. These common element lots are generally 15 feet to 24 feet in width and include landscaping within sidewalks. Internal to the site are multiple community lots which are located throughout the subdivision. The largest common element lot is located near the southwestern portion of the development, at the main entry gate.

#### Elevations

The plans depict single story, two-family dwellings with a maximum height of 18.5 feet. The front elevation of the first model consists of a pitched roof with a parapet wall at the opposite ends of the dwelling. The front elevation of the second model consists of a concrete tile roof with varying degrees of a roof pitch. Architectural intrusions, consisting of stucco columns on both front elevations, extend no more than 3 feet into the front yard setback. All side and rear elevations on both models feature windows with a stucco trim.

Floor Plans

The plans depict 2 different models ranging in size from 1,942 square feet to 1,946 square feet. Each model features a living room, kitchen, 3 bedrooms, dining room, laundry room, 2 bathrooms, walk-in closets, and 2 car garages.

Applicant's Justification

The applicant states the modified development standards are necessary to permit the proposed two-family dwelling units. Existing development within this portion of the Summerlin community includes compact single family and multifamily projects to the north, east, and south. The addition of the proposed two-family dwellings to the available offerings in this community will provide buyers with the opportunity to own a single story home that includes a private yard and 2 car garage. The proposed product will not increase the density of the development or affect the approved lot sizes and layout. The Summerlin Design Review Committee has approved the proposed modified development standards.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-17-1082	Single family residential development	Approved by BCC	February 2018
TM-17-500217	205 single family residential lots	Approved by BCC	February 2018
UC-0503-17	Modified development standards for a condominium development	Approved by BCC	August 2017
TM-0101-17	391 condominium units	Approved by BCC	August 2017
ZC-0527-13	Reclassified this site to R-2 and R-3 zoning and modified residential development standards for Village 16A	Approved by BCC	October 2013
MP-0428-13	Updated to the Land Use and Development Guide	Approved by BCC	September 2013
UC-0664-12	Expansion to a private recreational facility (water park) and allowed a temporary parking lot in conjunction with a private recreational facility	Approved by BCC	December 2012

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General & Residential Suburban (up to 8 du/ac)	C-2 & R-2	Undeveloped parcel, partially developed mini storage facility, & single family residential subdivision
South	Major Development Project (Summerlin South) – Single Family Residential	R-2	An approved single family residential development

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Major Development Project (Summerlin South) – School/Public Facilities	P-F & R-E	Faiss Middle School & Wet-n-Wild water park
West	Major Development Project (Summerlin South) – Public Facilities/Multi-Family	P-F	Future fire station site & an approved elementary school

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**Use Permit

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

Use Permit & Design Review

Staff finds the revisions to the proposed modified development standards promote a diverse neighborhood design featuring varying setbacks from residences to front property lines. The design of the two-family dwellings are consistent with the elevations of the previously approved residences that included decorative accents and window enhancements. The disbursement of the two-family dwellings within the subdivision, in conjunction with the proposed modified development standards, create a varied neighborhood design within the residential development. Therefore, staff recommends approval.

**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 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance.

**Building Department - Fire Prevention**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that when installing streets using "L" type curbs, a minimum of 37 feet wide is required, back of curb to back of curb; if using rolled curbs, minimum 39 feet widths are required, from back of curb to back of curb; to show on-site fire lane, turning radius, and turnarounds; dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; streets with roll curbs must be a minimum of 39 feet back of curb to back of curb; to show fire hydrant locations on-site and within 750 feet; fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0064-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: EDDIE DUENAS  
CONTACT: KATHIRNE LOGAN, ACTUS ENGINEERING, 3283 E. WARM SPRINGS  
ROAD, SUITE 300, LAS VEGAS, NV 89120**





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

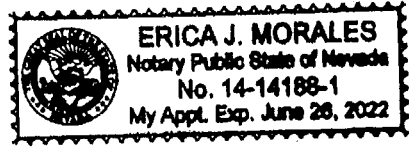
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b> DATE FILED: <u>8/28/19</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$1,350.00</u> CHECK #: <u>CASH &amp; CREDIT</u> COMMISSIONER: <u>JONES</u> OVERLAY(S)? <u>MOP</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-19-0691</u> TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC MTG DATE: <u>9/24/19</u> TIME: <u>6:30</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/16/19 9:00</u> ZONE / AE / RNP: <u>R-2 &amp; R-3 / NONE</u> PLANNED LAND USE: <u>PCSS</u> NOTIFICATION RADIUS: <u>500'</u> SIGN? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____	
	<b>PROPERTY OWNER</b> NAME: <u>William Lyon Homes, Inc.</u> Contact: <u>Eddie Duenas</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>(702) 340-7810</u> CELL: <u>(702) 340-7810</u> E-MAIL: <u>Eddie.Duenas@Lyonhomes.com</u>		
	<b>APPLICANT</b> NAME: <u>William Lyon Homes, Inc.</u> Contact: <u>Eddie Duenas</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>(702) 340-7810</u> CELL: <u>(702) 340-7810</u> E-MAIL: <u>Eddie.Duenas@Lyonhomes.com</u> REF CONTACT ID #: <u>1165682</u>		
	<b>CORRESPONDENT</b> NAME: <u>Actus</u> Contact: <u>Kathrine Logan</u> ADDRESS: <u>3283 E. Warm Springs Rd. Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(702) 409-2834</u> CELL: <u>(702) 409-2834</u> E-MAIL: <u>Kathrine.Logan@Actus-N</u> REF CONTACT ID #: <u>186232</u>		

ASSESSOR'S PARCEL NUMBER(S): 176-06-712-014, 176-06-714-001 to 012 & 014 to 015 & 017 to 020 & 025  
 PROPERTY ADDRESS and/or CROSS STREETS: W Maule Avenue & Pearland Street / to 028 & 039 & 045 to 048  
 PROJECT DESCRIPTION: Single Family Residential Subdivision & 080 to 083  
 (see justification #)

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

K. Martin-Jensen Property Owner (Signature)\*  
K. Martin-Jensen Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME, ON 8/16/19 (DATE)  
 By Kathleen Martin-Jensen  
 NOTARY PUBLIC: [Signature]



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





August 19, 2019



3283 E. Warm Springs Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

**PLANNER  
COPY**

Comprehensive Planning Department  
Clark County  
Attn: Mark Donohue  
500 S. Grand Central Pkwy.  
Las Vegas, NV 89155

UC-19-0691

**Re.: Jade Ridge (Summerlin Village 16A Parcel J)  
Justification for Letter for Design Review  
(APNS: 176-06-712-014, 176-06-714-001 through 012, 176-06-714-014, 176-06-714-015, 176-06-714-017 through 020, 176-06-714-025 through 028, 176-06-714-039, 176-06-714-045 through 048, 176-06-714-080 through 083)**

Dear Mark,

On behalf of our client, William Lyon Homes, we are requesting a Design Review and Use Permit for the subject property.

The project consists all of Lots 16A-J and 16A-N as shown on that final map entitled, "Summerlin Village 16A Unit 2", recorded in book 151 of plats, at page 64, official records of Clark County, Nevada. Lying within the Southeast quarter (SE 1/4) of Section 6, Township 22 south, Range 60 east, M.D.M., Clark County, Nevada.

**Project Description**

The project site is currently designed for 205 single family residences on 32.01 acres (gross) equaling 6.4+/- units per acre. The project site is located on the southwest corner of Maule Avenue & Pearland Street.

The project site is currently zoned R-2 and R-3 under an ROI with an expiration date of 02/07/2026. The Overlaying District is Planned Community Summerlin South with a planned land use of MDP – Major Development Project. The surrounding area currently consists of a range from General Commercial to Single Family Residential.

The project site has Multi-Family Residential (R-3) zoned property under a ROI with an expiration date of 02/07/2026 directly adjacent to the north along with General Commercial and Medium Density Residential zoning to the north on the north side of Maule Avenue. This area consists of a vacant parcel, an existing self-storage and single-family detached homes. To the east there is Public Facility and Multi-Family Residential (R-3) zoned property under a ROI with an expiration date of 02/07/2026. These parcels consist of an existing middle school, existing water park and planned parking lot. To the south



there is Medium Density Residential (R-2) zoned property consisting of existing and proposed single-family detached homes. To the west there is a Multi-Family Residential (R-3) zoned property under a ROI with an expiration date of 02/07/2026 separated from the project site by an existing paseo.

The project property currently consists of the following parcels: 176-06-713-001 through 028, 176-06-714-001 through 083 and 176-06-712-014.

**Design Review**

The proposed development will gain access through private gated entrances from the south at Copper Edge Road as designated in the Summerlin Master Plan and from the east (exit only) at Pearland Street that has been coordinated with Summerlin.

The project is proposed to consist of two distinctly different residential types. Each of the proposed product types will have an assigned and attached 2 car garage. The detached single-family homes in this community were approved through a previous application (DR-17-1082). This application is to request the addition of an attached single-family home (duplex) product.

The developer is proposing a one-story attached single family home ranging from approximately 1,526 – 1,528 square feet per unit, with attached 2 car garages, further details of the product types and development standards are indicated on the enclosed floor plans and elevations.

Parking for the project is provided in attached 2 car garages for each unit and on-site perpendicular parking stalls. Code required parking is tabulated on the cover sheet of the site plan based on parking requirements based on the bedroom type and required guest stalls. Total required parking is 410 spaces and 410 spaces are provided in 2-car garages for each unit.

**Use Permit Modification to existing use permit for Village 16A**

The proposed development is requesting the following development standards be modified through the use permit process. Two existing use permits (UC-0933-99 and Use Permit for Village 16A approved under ZC-0527-13) were approved to modify development standards in this Village and Summerlin as a whole and are applicable to this property. We are requesting to both modify and add to some of the development standards in these use permits. These requests as detailed below will allow the proposed development to be developed as requested.



### Modifications to On-Site Standards

Lots within the project site development range in size from 3,561 (net) square feet to 8,308 (net) square feet with an average lot size of 4,129 (net) square feet. The proposed setbacks will comply with the Summerlin South Village 16A Title 29 Use Permit (UP-527-13) with respect to R-2/R-3 zoning except for the following:

- Front Setback: 10 feet from back-of-curb where there is no sidewalk and 10 feet from back-of-sidewalk where there is sidewalk (14' required)
- Side Setback: 0 feet to shared property line with 5 feet to opposite property line for single family attached (duplexes) (10' required)
- Rear Setback: 8.5 feet to covered patio, 10.5 feet from property line to livable space (15' required)

Setback deviations are shown on the cover sheet of the site plan, in details and tables, please refer to this sheet of the site plan for clarification. Please note that the Summerlin Design Review Committee has approved the proposed setbacks; the approval letter has been enclosed for your reference.

### Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,



Rusty Schaeffer  
Principal - Residential



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10/16/19 BCC AGENDA SHEET

COMMERCIAL COMPLEX  
(TITLE 30)

SPRING MOUNTAIN RD/DUNEVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-19-0671-JJ REAL ESTATE, INC:**

**ZONE CHANGE** to reclassify 1.0 acre from C-P (Office and Professional) Zone to C-2 (General Commercial) Zone for an existing commercial complex.

Generally located on the east side of Duneville Street and the south side of Spring Mountain Road within Spring Valley (description on file). JJ/md/jd (For possible action)

RELATED INFORMATION:

**APN:**  
163-13-203-011

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

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

- Site Address: 5785 Spring Mountain Road
- Site Acreage: 1
- Project Type: Commercial complex
- Number of Stories: 1
- Square Feet: 2,343 (Buildings 1 and 2)
- Parking Required/Provided: 19/58

**Site Plan & Request**

This request is for a conforming zone change to reclassify approximately 1 acre from a C-P zone to a C-2 zone for future commercial uses. The plans depict 2 existing commercial buildings (Buildings 1 and 2) each measuring 2,343 square feet. The buildings are centrally located within the project site while the required parking is located on the north and south portions of the property. There are no drive aisles featured around the perimeter of the buildings. The commercial buildings require 19 parking spaces while 58 parking spaces are provided. Access to the project site is granted via a single existing commercial driveway along Spring Mountain Road and 3 existing driveways along Duneville Street. No modifications or changes are proposed to the site or to the exterior of the existing buildings with this application.

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Landscaping

All street and site landscaping exists and no additional landscaping is required or provided with this application.

Elevations

The plans (photographs) depict 2 existing single story commercial buildings with a slate roof and stucco exterior. The exterior of the buildings are currently painted with neutral colors.

Floor Plans

Building 1 is currently utilized as a dentist's office and Building 2, as depicted in the photographs, was previously utilized as an office.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that Spring Mountain Road has had tremendous growth within the last 10 years and is a major corridor serving both tourists and residents in the area. The applicant intends to lease the vacant building to a future restaurant operator. The highest and best use for the commercial complex is no longer for office professional uses. The conforming zone change will allow the applicant more flexibility to better utilize the property. The commercial centers to the east and west of the project site are zoned C-2. The proposed zone change will not have an adverse effect on the surrounding neighbors. The applicant indicates abundant parking is available to accommodate the additional customers that a future restaurant may generate.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0994-01	Reclassified a portion of the site from R-E to C-P zoning for a parking lot in conjunction with a dental office expansion with a waiver to site landscaping requirements	Approved by BCC	September 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Retail automobile parts store
South	Residential Suburban (up to 8 du/ac)	R-1	Single family residential development
East	Commercial General	C-2	Commercial complex
West	Commercial General	C-2	Shopping center currently under construction

**STANDARDS FOR APPROVAL:**

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



## **Analysis**

### **Current Planning**

The C-2 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community yet be buffered from having adverse impacts on any adjacent residential neighborhoods. Staff finds that the conforming zone change request is within the range of intensity allowed by the Comprehensive Master Plan. The site immediately to the east of the commercial complex is zoned C-2. The shopping center to the west of the project site, across Duneville Street, is also zoned C-2. Staff finds the existing building set back of 140 feet to the south property line of the adjacent single family residential uses is adequate. The C-2 uses that are permitted by right, such as retail, office, and restaurant uses should not impact the residences to the south. However, more intense uses requiring a use permit will properly be evaluated at the time of the land use application submittal. The proposed zoning is consistent and compatible with the existing and approved land uses in the area; therefore, recommends approval.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that certain principal land uses will require a special use permit application.

#### **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:** JUNG WOOK BYUN

**CONTACT:** BETTY CHAN, ASIAN AMERICAN REALTY, 4651 SPRING MOUNTAIN ROAD, LAS VEGAS, NV 89102





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

**STAFF**

DATE FILED: 8/22/14 APP. NUMBER: 26-14-0671  
 PLANNER ASSIGNED: MNO TAB/CAC: SPRING VALLEY  
 ACCEPTED BY: MNO TAB/CAC MTG DATE: 9/24/14 TIME: 6:30 PM  
 FEE: \$1,050.<sup>00</sup> PC MEETING DATE: -  
 CHECK #: \_\_\_\_\_ BCC MEETING DATE: 10/16/14 9:00 AM  
 COMMISSIONER: JONES ZONE / AE / RNP: C-P / NONE / NONE  
 OVERLAY(S)? NONE PLANNED LAND USE: SVCCG  
 PUBLIC HEARING?  /  NOTIFICATION RADIUS: 1,000' SIGN?  /   
 TRAILS?  /  PFNA?  /  LETTER DUE DATE: -  
 APPROVAL/DENIAL BY: - COMMENCE/COMPLETE: -

**PROPERTY OWNER**

NAME: JJ Real Estate Inc  
 ADDRESS: 5785 Spring Mountain Rd  
 CITY: Las Vegas STATE: NV ZIP: 89146  
 TELEPHONE: 949-878-6680 CELL: 949-878-6680  
 E-MAIL: JOHNBYUN@yahoo.com

**APPLICANT**

NAME: Jung Wook Byun  
 ADDRESS: 5785 Spring Mountain Rd  
 CITY: Las Vegas STATE: NV ZIP: 89146  
 TELEPHONE: 949-878-6680 CELL: 949-878-6680  
 E-MAIL: JOHNBYUN@yahoo.com REF CONTACT ID #: \_\_\_\_\_

**CORRESPONDENT**

NAME: BETTY CHAN  
 ADDRESS: 4601 SPRING MOUNTAIN ROAD  
 CITY: LAS VEGAS STATE: NV ZIP: 89102  
 TELEPHONE: 702 222 0078 CELL: 702 222 0078  
 E-MAIL: 702ray@gmail.com REF CONTACT ID #: 185340

ASSESSOR'S PARCEL NUMBER(S): 163-13-203-011

PROPERTY ADDRESS and/or CROSS STREETS: 5785 Spring Mountain Rd Las Vegas NV 89146

PROJECT DESCRIPTION: C-P to C2 Spring Mountain / Duenville.

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

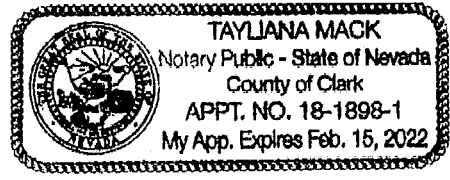
Property Owner (Signature)\*

Jung Wook Byun, President  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 25, 2014 (DATE)

By Jung Wook Byun  
NOTARY PUBLIC: Tayliana Mack



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



ZC-19-0011

**JJ Real Estate Inc**  
5785 Spring Mountain Road, Las Vegas NV 89146

August 21, 2019

Clark County  
Department of Comprehensive Planning  
500 S Grand Central Pkwy  
Las Vegas NV 89155

**PLANNER  
COPY**

Dear Sir,

Re: Justification letter for conforming zoning change From CP to C2  
5785 Spring Mountain Road, L.V, NV 89146  
P/N 163-13-203-011

We are submitting an application requesting a conforming zoning change. The subject parcel consists of 2 separate one-story buildings on a 0.93 acre lot. Each building is about 2500 sf. They were constructed in 1981 by the then owner for his sole dental practice. It has been zoned CP since then. We bought the building in 2018 and still maintain a dental office in one building but the other building has been vacant since the last tenant moved out in 2018.

Spring Mountain population has tremendous growth in the last 10 years. Commercial Centers are popping up along W Spring Mountain Road from I15 to Rainbow. It becomes a major corridor to provide service to the tourists as well as the residents in the area.

1) Justification

We have received so many calls trying to lease our empty space for uses other than professional use. We have enquiry from a restaurant operator whom we are interested to lease the space to for their specialty, so we are asked to apply for a zoning change to accommodate for his use.

Besides, it seems to be the highest and best use of our property is no longer just for Professional. We do hope that with the zoning change, it can allow us more flexibility to better utilize our property.

2) Conformity

The proposed zoning change is in conformity with the policy and intent of the comprehensive plan which allows for Commercial General.



The surrounding area starting from I 15 to as far as to Rainbow area are all commercial and mix uses such as banks, restaurants, grocery market, automobiles, school, offices, bar etc. The Commercial Centers to the E and W of our buildings are all zoned C2, directly across from our buildings is C1, and its neighbors are all C2.

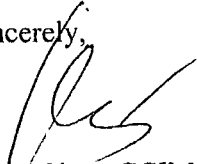
We opined that our request to change the zoning from CP to C2 is a conforming zoning change and is not going to have any adverse effect to our neighbors. Our proposed use of a restaurant is already present in the immediate area of our buildings. Our addition will provide one more choice for the customers and more competition will only help improving the quality of service to benefit the customers. Our available space for lease is small and we do have abundant parking spaces to accommodate the additional customers that the restaurant may bring in.

We do not intend to make any exterior structural changes except to remodel the interior space to fit for a restaurant use.

Should you have any other questions, please contact the undersigned at 702-222-0078

Thank you for your attention.

Sincerely,



Betty Chan, CCIM, CPM, CRS  
Broker  
Asian American Realty  
Property Manager for JJ Real Estate Inc.

**PLANNER  
COPY**

