

V. Informational Items

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

VI. Planning & Zoning

1. **NZC-20-0074-ELLIS ROBERT P & SANDRA D LIVING TRUST & ELLIS ROBERT P & SANDRA D TRS:**
ZONE CHANGE to reclassify 5.0 acres from C-2 (General Commercial) Zone and R-2 (Medium Density Residential) Zone to RUD (Residential Urban Density) Zone.
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.
DESIGN REVIEWS for the following: 1) a proposed single family residential development; and 2) increase finished grade on 5.0 acres. Generally located on the east side of Boulder Highway, 800 feet south of Whitney Avenue within Whitney (description on file). JG/md/ja (For possible action) **PC 3/17/20**
2. **TM-20-500021-ELLIS ROBERT P & SANDRA D LIVING TRUST & ELLIS ROBERT P & SANDRA D TRS:**
TENTATIVE MAP consisting of 48 residential lots and common lots on 5.0 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Boulder Highway, 800 feet south of Whitney Avenue within Whitney. JG/md/ja (For possible action) **PC 3/17/20**

VII. General Business

None

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

- IX. Next Meeting Date: March 12, 2020

X. Adjournment

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
NAME OF LOCATION Whitney Library, Whitney Senior Center, Jack-in-the-box @Boulder Highway/Russell, CVS @ Tropicana/Boulder Highway
<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



Whitney Town Advisory Board

February 13 , 2020

MINUTES

Board Members: Geraldine Ramirez –Chair **PRESENT**
Christopher Fobes - Vice Chair- **PRESENT**
Amy Beaulieu-**PRESENT**
Greg Konkin-**PRESENT**

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

Town Liaison: Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

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

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

II. Public Comment
None

III. Approval of January 30, 2020 Minutes

Moved by: Fobes
Approve minutes as submitted
Vote: 4-0 Unanimous

Approval of Agenda for February 13, 2020

Moved by: Ramirez
Approve with changes
Vote: 4-0 Unanimous

IV. Informational Items
None

V. Planning & Zoning

1. **NZC-20-0043-LEWIS DIANE & KIRK CHILDREN'S TR:**
ZONE CHANGE to reclassify 4.1 acres from C-2 (General Commercial) Zone to R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce the street intersection off-sets.
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) increased finished grade on 6.7 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Boulder Highway and Desert Horizons Drive within Whitney (description on file). JG/pb/jd (For possible action) **PC 3/3/20**

MOVED BY- Konkin
APPROVE- Subject to IF approved staff conditions
VOTE: 4-0 Unanimous

2. **TM-20-500006-NEVADA ENVIRONMENTAL RESPONSE TR & LE PETOMANE XXVII INC TRS:**
TENTATIVE MAP for a commercial subdivision on a 342.5 acre parcel in an M-1 (Light Manufacturing) and M-2 (Industrial) Zone. Generally located on the north side of Lake Mead Parkway, and the east side of Fourth Street within the Whitney Planning Area. JG/rk/jd (For possible action) **PC 3/3/20**

MOVED BY- Fobes
APPROVE- Subject to staff conditions
VOTE: 4-0 Unanimous

3. **TM-20-500011-LEWIS DIANE & KIRK CHILDREN'S TR:**
TENTATIVE MAP consisting of 47 lots and common lots on 6.7 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Boulder Highway and Desert Horizons Drive within Whitney. JG/pb/jd (For possible action) **PC 3/3/20**

MOVED BY- Ramirez
APPROVE- Subject to staff conditions
VOTE: 4-0 Unanimous

VI. General Business
None

VII. Public Comment
None

VIII. Next Meeting Date
The next regular meeting will be February 27, 2020

IX. Adjournment
The meeting was adjourned at 6:28 p.m.

03/17/20 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

WHITNEY AVE/BOULDER HWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-20-0074-ELLIS ROBERT P & SANDRA D LIVING TRUST & ELLIS ROBERT P
& SANDRA D TRS:**

ZONE CHANGE to reclassify 5.0 acres from C-2 (General Commercial) Zone and R-2 (Medium Density Residential) Zone to RUD (Residential Urban Density) Zone.

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.

DESIGN REVIEWS for the following: 1) a proposed single family residential development; and 2) increase finished grade on 5.0 acres.

Generally located on the east side of Boulder Highway, 800 feet south of Whitney Avenue within Whitney (description on file). JG/md/ja (For possible action)

RELATED INFORMATION:

APN:

161-27-205-006 through 161-27-205-013

WAIVER OF DEVELOPMENT STANDARDS:

Provide alternative street landscaping, including an attached sidewalk, along Boulder Highway where landscaping, including a detached sidewalk, is required per Figure 30.64-17 or Figure 30.64-18.

DESIGN REVIEWS:

1. A proposed single family residential development.
2. Increase finished grade up to 48 inches (4 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 166% increase).

LAND USE PLAN:

WHITNEY COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5987, 5989, 6017, and 6021 Boulder Highway
- Site Acreage: 5
- Number of Lots: 48 with 14 common elements
- Density (du/ac): 9.8
- Minimum/Maximum Lot Size (square feet): 2,322/3,430 (gross and net)

- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,430 to 1,645
- Open Space Required/Provided: 9,600/9,746

Neighborhood Meeting Summary

This request is to reclassify approximately 5 acres from R-2 and C-2 zoning to an RUD zoning to allow a single family residential development. The applicant conducted a neighborhood meeting on January 6, 2020, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Three people attended the meeting and inquired about vagrancy within the immediate area. One neighbor questioned the potential for residential uses in the surrounding area.

Site Plans

The plans depict a single family residential development consisting of 48 lots on 5 acres at a density of 9.8 dwelling units per acre. The minimum and maximum lot sizes are 2,322 square feet and 3,430 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Street A, which connects to Dodd Street, a public right-of-way. The interior of the development is serviced by a network of 5 private streets ranging between 25 feet to 37 feet in width. Common element lot G, consisting of 9,746 square feet of open space is centrally located within the development, adjacent to lot 40 through lot 48. Per the requirements of the Development Code, 9,600 square feet of open space is required. A 20 foot wide Nevada Energy easement, with an area measuring 8,800 square feet, is located along the north property line of lot 7 through lot 15. No sidewalks are provided within the interior of the development adjacent to the private streets. A 5 foot wide attached sidewalk is proposed adjacent to Dodd Street and Boulder Highway.

Landscaping

The plans depict a 5 foot wide attached sidewalk along Dodd Street in conjunction with a 6 foot wide landscape area behind the sidewalk. Fifteen gallon large evergreen trees will be planted 20 feet on center along Dodd Street and within the common element lots interior to the subdivision. However, no trees will be planted within the 20 foot wide Nevada Energy easement. A 6 foot wide landscape area with large evergreen trees planted 40 feet on center is proposed along the west property line of lot 15 through lot 22, adjacent to Boulder Highway. The 5 foot wide landscape area is proposed in lieu of a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, which is required along Boulder Highway. An open space area consisting of 9,746 square feet is centrally located within the development, where 9,600 square feet of open space is required.

Elevations

The plans depict 4 different model homes each featuring 2 varying elevation models. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,430 square feet to 1,645 square feet depending on the options selected by the home buyer. The model homes have options for multiple bedrooms, kitchen, and a great room. One to 2 car garages are featured for the various models.

Applicant's Justification

The applicant states a 5 foot wide common element/landscape area is located within the property boundary adjacent to Boulder Highway. The 5 foot wide landscape area along with an additional 10 feet to 13 feet within the Boulder Highway right-of-way will combine for a total of 15 feet to 18 feet of the proposed landscape width. This width is substantially more than other properties in the area. The majority of the Boulder Highway frontage is not landscaped, with the majority of landscaping within the right-of-way itself.

According to the applicant, the depth of the residential lots and landscape widths do not provide sufficient depth to satisfy the street intersection off-set requirement of 125 feet. Intersection separation requirements are mitigated by the fact that Dodd Street does not have large traffic volume. The portion of Dodd Street immediately adjacent to the site is only a 46 foot right-of-way and functions more like a residential street. Therefore, the reduced intersection separation will have a minimal impact on the area. The applicant also requests a 4 foot maximum increase to the finished grade to account for the maximum recommended separation between the proposed pad grades and the subterranean water surface level.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & R-2	Vehicle sales & manufactured home park
South	Commercial General	C-2 & R-2	Vehicle sales & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-T	Single family residential development
West	Commercial General	C-2	Motel, laundromat, & retail building

Related Applications

Application Number	Request
TM-20-500021	A tentative map request for 48 single family residential lots in an RUD zone is a companion item on this agenda

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant states single family residences were built along Dodd Street in the mid 1990s. An RUD development was built along Steptoe Street in 2015 and a new RUD project was built along Dodd Street just east of Steptoe Street in 2019. According to the applicant, this is an area that is going through transition.

Approximately 300 feet to the east of the proposed subdivision is an existing single family residential development zoned RUD with a planned land use of Business and Design/Research Park. Approximately 630 feet to the south of the project site is a second single family development zoned RUD with a planned land use of Residential High. Less than one-half mile to the north of the project site is a single family residential development zoned RUD with a planned land use of Commercial General. The trend in this area is for additional residential development and less commercial development. The proposed zone change to RUD for single family residential development is consistent and compatible with existing and approved development in this area and is appropriate for this location.

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

The applicant states there are RUD and R-2 developments in the area in addition to the mobile home park located to the northwest of the site. This proposed community is consistent with the existing developments in the area.

Approximately 300 feet to the east of the proposed subdivision is an existing single family residential development zoned RUD with a density of 8.4 dwelling units per acre with a planned land use of Business and Design/Research Park. Approximately 630 feet to the south of the project site is a second single family development zoned RUD with a density of 9.1 dwelling units per acre with a planned land use of Residential High. Less than one-half mile to the north of the project site is a single family residential development zoned RUD with a density of 8.4 dwelling units per gross acre with a planned land use of Commercial General. The proposed

zone change to RUD for single family residential development is consistent and compatible with existing and approved density and development in this area and is appropriate for this location.

- 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, this proposed small residential development will add a minimal number of additional students to the local schools.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this development would generate 9 additional elementary school students, 5 middle school students, and 6 high school students. Whitney Elementary School and Basic High School would serve this development and are currently 54 students and 398 students over capacity, respectively. However, Cortney Middle School is currently under capacity and can accommodate the additional students.

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

According to the applicant, the proposed development complies with multiple policies from the Comprehensive Master Plan, including the following: 1) Urban Specific Policy 10 - Encourage site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity; 2) Urban Specific Policy 14 - All developments should be designed to accommodate and encourage recycling; 3) Urban Specific Policy 16 - All new perimeter walls, fences, driveways, trails, and other surfaces should be decorative; and 4) Single Family Residential Policy 39 - Appropriate buffers, setbacks, parking, landscaping, and other regulated on-site and off-site development issues should be included in single family developments.

The applicant states the adjacent parcels are commercial; however, there have been residential developments in the commercially planned areas. Open space is provided per the RUD requirements and to create an attractive streetscape with decorative walls and landscaping is provided to create an attractive streetscape.

Staff finds this project complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. There are existing residential developments in this area that are developed with densities between 8 dwelling units per acre and 18 dwelling units per acre. The proposed project is a single family residential development with a density of 9.8 dwelling units per acre, which is a transition between these existing developments. Therefore, staff finds the project complies with Urban Specific Policy 4 of the Comprehensive Master Plan to preserve existing residential neighborhoods by encouraging vacant lots within this area to develop at similar densities as the existing area.

Summary

Zone Change

Staff finds that there is a trend changing the character and condition of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse effect on public services or facilities in this area. The proposed project complies with the goals and policies within the Comprehensive Master Plan. Staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary request.

Waiver of Development Standards

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

Although staff would typically not support a request of this nature, the applicant has provided justification to warrant a recommendation of approval. The plans depict a proposed 5 foot wide sidewalk along Boulder Highway, with a potential landscape area of 10 feet to 13 feet behind the sidewalk. A 5 foot wide landscape area, with large evergreen trees planted 20 feet on center, is proposed behind the existing Boulder Highway right-of-way. Based on aerial and street photographs of the surrounding area, the proposed alternative landscaping design will constitute a substantial improvement over the landscaping that exists within the surrounding area, which is minimal; therefore, staff recommends approval.

Design Review #1

Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design of the residences comply with Urban Land Use Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences to front property lines, reduced visual dominance of garages, varied rooflines, and/or architectural enhancements on all sides. Staff finds the design of the proposed development is effective for both pedestrian and vehicular safety and is compatible with the surrounding residential and commercial development within the area.

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 April 22, 2020 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Design review as a public hearing for significant changes to 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.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Coordinate Dodd Street dedications and improvements with Public Works - Development Review Division;
- Nevada Department of Transportation approval.
- 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.

Building Department - Fire Prevention

- No Comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0534-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STORYBOOK HOMES

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

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 type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>1/28/20</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNP</u> FEE: <u>\$2,796</u> CHECK #: <u>MULTIPLE</u> COMMISSIONER: <u>TS</u> OVERLAY(S)? <u>NONE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____
	PROPERTY OWNER	APP. NUMBER: <u>NZC-20-0074</u> TAB/CAC: <u>WHEATLEY</u> TAB/CAC MTG DATE: <u>2/27/20</u> TIME: <u>6:00 PM</u> PC MEETING DATE: <u>3/17/20</u> 7:00 P.M. BCC MEETING DATE: <u>4/23/20</u> 9:00 A.M. ZONE / AE / RNP: <u>R-2 & C-2 / NONE / NONE</u> PLANNED LAND USE: <u>WCG</u> NOTIFICATION RADIUS: <u>1500'</u> SIGN? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	APPLICANT	NAME: <u>Robert & Sandra Living Trust</u> ADDRESS: <u>979 Camelia</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89011</u> TELEPHONE: _____ CELL: <u>702-497-0333</u> E-MAIL: <u>rp@beauto.com</u>
	CORRESPONDENT	NAME: <u>StoryBook Homes</u> ADDRESS: <u>3625 S. Town Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-877-7040</u> CELL: _____ E-MAIL: <u>jcooper@sbhlv.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>LAS Consulting - Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 161-27-205-006 thru 013
 PROPERTY ADDRESS and/or CROSS STREETS: Between Boulder Hwy and Dodd Street, adjacent to Nevada Ave
 PROJECT DESCRIPTION: 48 Lot RUD Subdivision

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

 _____
 Property Owner (Signature)*

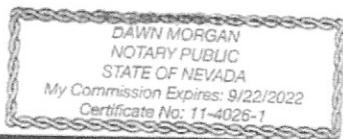
ROBERT P. ELLIS

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 9, 2020 (DATE)
 By Robert P. Ellis

NOTARY PUBLIC: Dawn Morgan



*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.

*LAS Consulting, Inc.
1930 Village Center Circle, Bldg 3, Suite 577
Las Vegas, NV 89134
(702) 499-6469-cell.
(702) 946-0857-fax*

NCC-20-0074

January 28, 2019

**PLANNER
COPY**

Mr. Mark Donahue, Principal Planner
Clark County Current Planning
500 Grand Central Parkway
Las Vegas, NV 89155

RE: Project Description and Compelling Justification, APN: 161-27-205-006 through 013
PRE 19-10070

Dear Mr. Donahue:

Please accept this letter as our project description and compelling justification for a non-conforming zone change. The project is as follows:

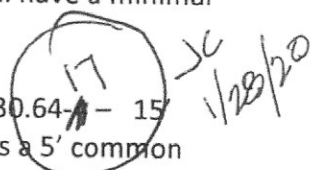
Project Description:

The subject parcel is currently zoned C-2 (Commercial General) and R-2 (Medium Residential Density up to 8 du/acre) with a land use designation of CG-Commercial General. Storybook Homes proposes to develop an RUD zoned single-family residential development. This is a request for a 48-lot residential subdivision on 4.92 acres. The site is located on the northeast side of Boulder Highway, east of Nevada Avenue. County code requires a minimum lot of size of 2000 square feet and the minimum shown on this request is 2,322 square feet with an average of 2,812 square feet. The internal roadways will consist of 37' wide private streets. Stub streets of 25' and 31' are also provided.

The minimum required open space is 9600 square feet and 9,746 square feet is provided. We are requesting a waiver for Intersection Separation (Title 30.56.090e) - 125' minimum (measured from ROW to ROW). This waiver applies to Dodd Street and Street B. From right of way to right of way (property line) the separation provided is 76'.

The depth of the residential lots and landscape widths do not provide sufficient depth to satisfy the 125' requirements. Intersection separation requirements are mitigated by

residential street. Therefore, the reduced intersection separation will have a minimal impact on the area.

In addition, we are requesting a waiver for Table 30.64-1 and Figure 30.64-1.  15' Landscape along the Boulder Highway frontage. This project proposes a 5' common element/ landscape area within the property boundary. This 5' along with an additional 10' to 13' within the Boulder Highway ROW will combine for a total of 15' to 18' of proposed landscape width. This width is substantially more than the properties in the area. The majority of the Boulder Highway frontage is not landscaped. The frontage that is landscaped appears to be overwhelmingly in the ROW itself.

A waiver is also requested for the sidewalk location along the Boulder Highway frontage. County code requires a detached sidewalk. Typical conditions in the area is that the sidewalk is located immediately behind curb. This is true for the properties immediately north and south of the proposed development. There are also numerous utility obstructions. This waiver will allow for placement of the sidewalk to match the existing conditions in the area.

Compelling Justification "Compelling Justification" means the satisfaction of the following criteria for proposed nonconforming zone boundary amendments:

- 1. A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate;** *Houses were built along Dodd Street in the mid 1990's An RUD development was built along Steptoe in 2015 and a new project RUD was built along Dodd just east of Steptoe in 2019. This is an area that is going through transition.*
- 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;** *There are RUD, R-2 developments in the area in addition to the mobile home park located to the northwest of the site. This proposed community is consistent with the existing developments in the area.*
- 3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning;** *The drainage impact overall should be less because there will be front and rear yards instead of paved parking lots. There are existing offices, homes and a school so there are utilities in the area.*

This proposed small residential development and will add a minimal number of additional students to the local schools.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies; and discourage nonconforming zone changes. Any approvals for nonconforming zoning requests should be conditioned to provide buffering from adjacent conforming properties. *The adjacent parcels are commercial and R-2 zoned property, however, there have been residential developments in the commercially planned areas, so the trend is for residential development in this area.*

10 Encourage site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. *The adjacent parcels are commercial, however, there have been residential developments in the commercially planned areas, so the trend is for residential development in this area*

14 All developments should be designed to accommodate and encourage recycling. *This design will accommodate the recycling truck.*

16 All new perimeter walls, fences, driveways, trails, and other surfaces should be decorative. Encourage designs to visually minimize the stark appearance of a monotonous block wall face and should use alternative materials made from renewable and recyclable sources that do not trap and radiate heat. Incorporate design elements to discourage graffiti and encourage graffiti-resistant wall treatments. *Open space is provided per the PUD requirements and to create an attractive streetscape. All planned walls will be decorative.*

39 Appropriate buffers, setbacks, parking, landscaping, and other regulated onsite and off-site development issues should be included in single family developments. *Landscaping is provided to create an attractive streetscape.*

We believe this request will be an asset to the community and respectfully request approval of this application.

Yours truly,

Lucy Stewart

Lucy Stewart

03/17/20 PC AGENDA SHEET

NEVADA & DODD
(TITLE 30)

WHITNEY AVE/BOULDER HWY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-20-500021-ELLIS ROBERT P & SANDRA D LIVING TRUST & ELLIS ROBERT P & SANDRA D TRS:

TENTATIVE MAP consisting of 48 residential lots and common lots on 5.0 acres in an RUD (Residential Urban Density) Zone.

Generally located on the east side of Boulder Highway, 800 feet south of Whitney Avenue within Whitney. JG/md/ja (For possible action)

RELATED INFORMATION:

APN:

161-27-205-006 through 161-27-205-013

LAND USE PLAN:

WHITNEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5989, 6017, and 6021 Boulder Highway
- Site Acreage: 5.0
- Number of Lots: 48 with 14 common elements
- Density (du/ac): 9.8
- Minimum/Maximum Lot Size (square feet): 2,322/3,430 (gross and net)
- Project Type: Single family residential development
- Open Space Required/Provided: 9,600/9,746

The plans depict a single family residential development consisting of 48 lots on 5 acres at a density of 9.8 dwelling units per acre. The minimum and maximum lot sizes are 2,322 square feet and 3,430 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Street A, which connects to Dodd Street, a public right-of-way. The interior of the development is serviced by a network of 5 private streets ranging between 25 feet to 37 feet in width. Common element lot G, consisting of 9,746 square feet of open space is centrally located within the development, adjacent to lot 40 through lot 48. Per the requirements of the Development Code, 9,600 square feet of open space is required. A 20 foot wide Nevada Energy easement, with an area measuring 8,800 square feet, is located along the north property line of lot 7 through lot 15. No sidewalks are provided within the interior of the development adjacent to the private streets. A 5 foot wide attached sidewalk is proposed adjacent to Dodd Street and Boulder Highway.

Landscaping

The plans depict a 5 foot wide attached sidewalk along Dodd Street in conjunction with a 6 foot wide landscape area behind the sidewalk. Fifteen gallon large evergreen trees will be planted 20 feet on center along Dodd Street and within the common element lots interior to the subdivision. However, no trees will be planted within the 20 foot wide Nevada Energy easement. A 6 foot wide landscape area with large evergreen trees planted 40 feet on center is proposed along the west property line of lot 15 through lot 22, adjacent to Boulder Highway. The 5 foot wide landscape area is proposed in lieu of a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, which is required along Boulder Highway. An open space area consisting of 9,746 square feet is centrally located within the development, where 9,600 square feet of open space is required.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & R-2	Vehicle sales & manufactured home park
South	Commercial General	C-2 & R-2	Vehicle sales & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-T	Single family residential development
West	Commercial General	C-2	Motel, laundromat, & retail building

Related Applications

Application Number	Request
NZC-20-0074	A nonconforming zone change request to reclassify the project site from R-2 and C-2 zoning to RUD zoning for a single family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 22, 2020 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Current Planning Division - Addressing

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0534-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

APPLICANT: STORYBOOK HOMES

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



TENTATIVE MAP APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>1/28/20</u> PLANNER ASSIGNED: <u>MND</u> ACCEPTED BY: <u>MND</u> FEE: <u>\$750.⁰⁰</u> CHECK #: <u>MULTIPLE</u> COMMISSIONER: <u>TS</u> OVERLAY(S)? _____ TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>TM-20-500021</u> TAB/CAC: <u>WHEATNEY</u> TAB/CAC MTG DATE: <u>2/27/20</u> TIME: <u>6:00</u> PC MEETING DATE: <u>3/17/20</u> <u>7:00 PM</u> BCC MEETING DATE: <u>4/22/20</u> <u>9:00 AM</u> ZONE / AE / RNP: <u>R-2 & C-2 / NONE / NONE</u> PLANNED LAND USE: <u>WCG</u> NOTES: <u>N2C-20-0074</u>
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PROPERTY OWNER	NAME: <u>Robert & Sandra Living Trust</u> ADDRESS: <u>979 Camelia</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89011</u> TELEPHONE: _____ CELL: <u>702-497-0333</u> E-MAIL: <u>rp@beauto.com</u>
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APPLICANT	NAME: <u>StoryBook Homes</u> ADDRESS: <u>3625 S. Town Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-877-7040</u> CELL: _____ E-MAIL: <u>jcooper@sbhlv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>LAS Consulting - Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle, Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>
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ASSESSOR'S PARCEL NUMBER(S): 161-27-205-006 thru 013

PROPERTY ADDRESS and/or CROSS STREETS: Between Boulder Hwy and Dodd Street, adjacent to Nevada

TENTATIVE MAP NAME: Nevada & Dodd

NUMBER OF LOTS: 48 GROSS/NET ACREAGE 4.92 GROSS/NET DENSITY 8 du/acre

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

[Signature] _____ ROBERT P. ELLIS _____
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 9, 2020 (DATE)
 By Robert P. Ellis

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