



ENTERPRISE TOWN ADVISORY BOARD

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

January 26, 2022

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) 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 the Board of County Commissioners' Zoning Commission (BCC) or the 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 a 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, TDD at (702) 385-7486, or Relay Nevada toll-free at (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 or chaves@yahoo.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/EnterpriseTAB>.

Board/Council Members: David Chestnut - Chair
Tanya Behm
Justin Maffett

Barris Kaiser – Vice Chair
Joseph Throneberry

Secretary: Carmen Hayes (702) 371-7911 chaves@yahoo.com
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Tiffany Hesser (702) 455-7388 TLH@clarkcountynv.gov
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Invocation, Pledge of Allegiance, and Roll Call

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 (3) 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 Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for January 12, 2022. (For possible action)
- IV. Approval of the Agenda for January 26, 2022 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 only)
- VI. Planning and Zoning
 - 1. **PA-22-700001-MAGNUS VEGAS LLC:**
PLAN AMENDMENT to amend the adopted Clark County Trail Map – Las Vegas Valley in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located between Monte Cristo Way and Belcastro Street, and between Cougar Avenue and Torino Avenue within Enterprise. JJ/mc (For possible action) **02/15/22 PC**
 - 2. **NZC-21-0745-MAGNUS VEGAS LLC:**
ZONE CHANGE to reclassify 37.9 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-D (Suburban Estates Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** setbacks; **2)** increased wall height; **3)** increase non-through (stub) street length; **4)** reduced street widths; and **5)** off-site improvements.
DESIGN REVIEWS for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise (description on file). JJ/al/ja (For possible action) **02/15/22 PC**
 - 3. **VS-21-0746-MAGNUS VEGAS LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Torino Avenue (alignment) and between Monte Cristo Way and Montessori Street (alignment), and a portion of right-of-way being Belcastro Street located between Wigwam Avenue and Cougar Avenue, and a portion of right-of-way being Cougar Avenue located between Monte Cristo Way and Tenaya Way, and a portion of right-of-way being Ford Avenue located between Tenaya Way and Belcastro Street within Enterprise (description on file). JJ/al/ja (For possible action) **02/15/22 PC**
 - 4. **TM-21-500212-MAGNUS VEGAS LLC:**
TENTATIVE MAP consisting of 94 single family residential lots and common lots on 37.9 acres in an R-D (Suburban Estates Residential) Zone.
 Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise. JJ/al/ja (For possible action) **02/15/22 PC**

5. **ET-21-400188 (UC-19-0794)-DOLLAR SELF STORAGE 22, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) convenience store; and 2) gasoline station.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from a convenience store to a residential use; 2) allow an attached sidewalk; and 3) alternative driveway geometrics.
DESIGN REVIEW for a convenience store and gasoline station on a 0.9 acre portion of 5.0 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. JJ/jor/jo (For possible action) **02/16/22 BCC**

6. **WC-21-400185 (ZC-0659-17)-HORIZON WEST HOMES, LLC:**
WAIVER OF CONDITIONS of a zone change requiring per revised plans dated 10/17/17 in conjunction with a single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/ja (For possible action) **02/16/22 BCC**

7. **WS-21-0729-HORIZON WEST HOMES, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce street width.
DESIGN REVIEWS for the following: 1) finished grade; 2) hammerhead street design; and 3) single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/jo (For possible action) **02/16/22 BCC**

8. **TM-21-500208-HORIZON WEST HOMES, LLC:**
TENTATIVE MAP consisting of 8 single family residential lots and common lots on 1.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/jo (For possible action) **02/16/22 BCC**

VII. General Business

1. Develop topics for meeting with Public Works to include an update on major road projects and new standards for RNP roads. (discussion only)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/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 (3) 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 Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: February 9, 2022 at 6:00 pm.

X. Adjournment.

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

Windmill Library – 7060 W. Windmill Lane

Clark County Government Center – 500 S. Grand Central Pkwy

<https://notice.nv.gov>

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair – JUSTIN C. JONES, Vice-Chair

MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM

YOLANDA T. KING, County Manager



Enterprise Town Advisory Board

January 12, 2022

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Justin Maffett - PRESENT	Barris Kaiser, Vice Chair PRESENT Joseph Throneberry PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com PRESENT	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com PRESENT	

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

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

Jared Tasko, Current Planning

II. Public Comment

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

- None

III. Approval of December 29, 2021 Minutes (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for December 29, 2021

Motion **PASSED (4-0)/ Unanimous**- Kaiser not present

IV. Approval of Agenda for January 12, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended

Motion **PASSED** (4-0) /Unanimous – Kaiser not present

Related applications to be heard together:

1. VS-21-0695-AGRAWAL, PAWAN & ROSY:
2. DR-21-0694-AGRAWAL, PAWAN & ROSY:

3. NZC-21-0715-WENG ZHIQIANG:
4. VS-21-0716-WENG ZHIQIANG:
5. TM-21-500200-WENG ZHIQIANG:

15. WC-21-400180 (WS-0674-14)-AINSWORTH GAME TECHNOLOGY, INC:
16. UC-21-0655-HARSCH INVESTMENT PROPERTIES, LLC:
17. DR-21-0708-AINSWORTH GAME TECHNOLOGY, INC:

V. Informational Items

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

1. SHORT TERM RENTALS:

Short-term rentals such as Airbnb and VRBO are currently illegal in unincorporated Clark County. However, the passage of Assembly Bill 363 by the 2021 Nevada Legislature requires the County to enact an ordinance regulating short-term rentals by July 1.

The first step in that transition gets underway with the announcement today of a survey, whose results County officials will consider as they develop an ordinance that includes limitations on such rentals. AB363 places some of these limits as part of the mandate, including on minimum distance separation between short-term rentals, proximity to resort hotels, limits on the number of occupants and number of permits a person may hold.

Because of the potential impact of short-term rentals on neighborhood quality of life, officials say the brief survey, which takes about 10 to 15 minutes to complete, is important and urge County residents to take part. The survey is available at www.ClarkCountyNV.gov/survey.

VI. Planning & Zoning

1. **VS-21-0695-AGRAWAL, PAWAN & ROSY:**
VACATE AND ABANDON easement of interest to Clark County located between Pebble Road and Ford Avenue, and between La Cienega Street and Giles pie Street within Enterprise (description on file). MN/bb/jd (For possible action) **01/19/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions.
Motion **PASSED** (5-0) /Unanimous

2. **DR-21-0694-AGRAWAL, PAWAN & ROSY:**
DESIGN REVIEWS for the following: **1)** finished grade; and **2)** single family residential development on 2.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of La Cienega Street, 300 feet north of Pebble Road within Enterprise. MN/bb/jd (For possible action) **01/19/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions.
Motion **PASSED** (5-0) /Unanimous

3. **NZC-21-0715-WENG ZHIQIANG:**
ZONE CHANGE to reclassify 4.9 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (RNP-I) Zone to an R-1 (Single Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; **2)** wall height; **3)** full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); and **4)** street dedication.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the north side of Shelbourne Avenue and the west side of Decatur Boulevard within Enterprise (description on file). JJ/rk/jo (For possible action) **02/01/22 PC**

Motion by David Chestnut

Action:

APPROVE: Zone Change reduced to R-D

DENY: Waiver of Development Standards #s 1 and 3;

APPROVE: Waiver of Development Standards #s 2 and 4;

DENY Design Review #1;

APPROVE Design Review #2;

ADD Current Planning Conditions:

- Design review as a public hearing for significant change to plans.
- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way.

Public Works - Development Review

CHANGE bullet # 5 to read:

- Right-of-way dedication to include an additional 5 feet to back of curb for Decatur Boulevard, 30 feet for Shelbourne Avenue ***and Mistral Ave.***

DELETE Bullets # 8 and 9.

Per staff if approved conditions.

Motion **FAILED** (2-3) /Kaiser – Nay, Behm – Nay, Maffett - Nay

Motion by Barris Kaiser

Action: **DENY**

Motion **PASSED** (3-2) /Chestnut – Nay, Throneberry - Nay

4. **VS-21-0716-WENG ZHIQIANG:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Edmond Street (alignment), and between Shelbourne Avenue and Mistral Avenue (alignment) and a portion of right-of-way being Mistral Avenue (alignment) located between Decatur Boulevard and Edmond Street (alignment), and a portion of right-of-way being Hauck Street located between Shelbourne Avenue and Mistral Avenue (alignment) within Enterprise (description on file). JJ/rk/jo (For possible action) **02/01/22 PC**

Motion by Barris Kaiser
Action: **DENY**
Motion **PASSED** (4-1) /Throneberry – Nay

5. **TM-21-500200-WENG ZHIQIANG:**
TENTATIVE MAP consisting of 39 single family residential lots and common lots on 4.9 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Shelbourne Avenue and the west side of Decatur Boulevard within Enterprise. JJ/rk/jo (For possible action) **02/01/22 PC**

Motion by Barris Kaiser
Action: **DENY**
Motion **PASSED** (4-1) /Throneberry - Nay

6. **NZC-21-0720-FUTURE HORIZON II LP:**
ZONE CHANGE to reclassify 6.9 acres from a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) modified driveway design standards.
DESIGN REVIEWS for the following: 1) a multiple family residential development; and 2) finished grade. Generally located on the north side of St. Rose Parkway and the east side of Jeffreys Street within Enterprise (description on file). MN/rk/jo (For possible action) **02/01/22 PC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (4-1) / Throneberry - Nay

7. **PA-21-700001-KB HOME LAS VEGAS INC.:**
AMENDED PLAN AMENDMENT to amend the Clark County Trail Map - Las Vegas Valley by modifying a trail alignment in an R-2 (Medium Density Residential) Zone (previously not notified). Generally located between Tenaya Way and Belcastro Street, and between Pebble Road and Agate Avenue within Enterprise. JJ/mc (For possible action) **02/01/22 PC**

Motion by David Chestnut
Action: **ADOPT**
Motion **PASSED** (4-0) /Unanimous (Tanya Behm not present)

8. **PA-21-700005-MIKAMI LISA T SEPARATE PROPERTY TRUST & MIKAMI LISA T: PLAN AMENDMENT** to redesignate the existing land use category from MN (Mid-Intensity Suburban Neighborhood) to NC (Neighborhood Commercial) on 1.3 acres. Generally located on the south side of Cactus Avenue, 375 feet west of Dean Martin Drive within Enterprise. JJ/gc (For possible action) **02/01/22 PC**

Motion by Joseph Throneberry

Action: **ADOPT**

Motion **PASSED** (4-0) /Unanimous (Tanya Behm not present)

9. **UC-21-0700-URBAN INVESTMENTS, LLC & ALL-AMERICAN SPORTPARK LEASE: USE PERMIT** to allow a transportation service in conjunction with an existing recreational facility on 65.0 acres in an H-1 (Limited Resort and Apartment) (AE-65, AE-70, & AE-RPZ) Zone. Generally located on the south side of Sunset Road, 206 feet west of Gilespe Street within Enterprise. MN/jor/jo (For possible action) **02/01/22 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

10. **VS-21-0706-MACKOVSKI, ALEXANDER: VACATE AND ABANDON** easements of interest to Clark County located between Agate Avenue and Raven Avenue (alignment), and between Monte Cristo Way (alignment) and Pioneer Way (alignment) within Enterprise (description on file). JJ/jor/jo (For possible action) **02/01/22 PC**

Motion by Tanya Behm

Action: **APPROVE** per staff conditions

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

11. **DR-21-0728-DIADEM, LLC: DESIGN REVIEW** for modifications to a previously approved commercial development on a 0.4 acre portion of a 2.4 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/jgh/jo (For possible action) **02/02/22 BCC**

Motion by Joseph Throneberry

Action: **APPROVE** per staff conditions

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

12. **ET-21-400181 (VS-19-0145)-PN II, INC.: VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road, and a portion of a right-of-way being Chartan Avenue located between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jo (For possible action) **02/02/22 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

13. **ET-21-400182 (UC-0669-16)-LEGACY BERMUDA, LLC:**
USE PERMIT SECOND EXTENSION OF TIME for a congregate care facility with accessory commercial uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following 1) alternative landscaping adjacent to streets; and 2) waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue.
DESIGN REVIEW for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Erie Avenue and Bermuda Road within Enterprise. MN/sd/jo (For possible action) **02/02/22 BCC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

14. **UC-21-0725-ZL II, LLC:**
USE PERMIT for a recreational facility with accessory commercial uses including, but not limited to shops, snack bars, lounges, and restaurants.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) reduced throat depth.
DESIGN REVIEWS for the following: 1) expansion to an existing building; and 2) parking lot addition on a portion of 31.4 acres in a C-2 (General Commercial) (AE-60) Zone, an M-D (Designed Manufacturing) (AE-60) Zone, and an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Rafael Rivera Way, the east side of Torrey Pines Drive, 715 feet south of Sunset Road, and 315 feet west of Jones Boulevard within Enterprise. MN/md/jo (For possible action) **02/02/22 BCC**

Motion by David Chestnut
Action: **APPROVE**: Use Permit;
APPROVE: Waivers of Development Standards # 1 and 2;
DENY: Waivers of Development Standard # 3;
APPROVE: Design Reviews
Per staff if approved conditions
Motion **PASSED** (5-0) /Unanimous

15. **WC-21-400180 (WS-0674-14)-AINSWORTH GAME TECHNOLOGY, INC:**
WAIVER OF CONDITIONS of a waiver of development standards requiring per revised plans dated 09/17/14 in conjunction with an existing office/warehouse building on 16.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located 1,000 feet east of Jones Boulevard between Sunset Road and Rafael Rivera Way within Enterprise. MN/jt/jo (For possible action) **02/02/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

16. **UC-21-0655-HARSCH INVESTMENT PROPERTIES, LLC:**
USE PERMIT to allow unscreened loading spaces.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow unscreened loading and service areas with roll-up, overhead doors; **2)** allow less than 10% of the building to be located within 100 feet of the front property line; **3)** alternative driveway geometrics; and **4)** allow a pan driveway.
DESIGN REVIEWS for the following: **1)** distribution center and office/warehouse buildings; and **2)** finished grade on 19.4 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east and west sides of Westwind Road and the south side of Sunset Road within Enterprise. MN/jt/jo (For possible action) **02/02/22 BCC**

Motion by Barris Kaiser

Action: **DENY**

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

17. **DR-21-0708-AINSWORTH GAME TECHNOLOGY, INC:**
DESIGN REVIEWS for the following: **1)** parking lot modifications; and **2)** alternative parking lot landscaping in conjunction with an existing office/warehouse building on 16.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located 1,000 feet east of Jones Boulevard between Sunset Road and Rafael Rivera Way within Enterprise. MN/jt/jo (For possible action) **02/02/22 BCC**

Motion by Joseph Throneberry

Action: **APPROVE** per staff conditions

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

VII. General Business:

1. Review and approve 2022 Enterprise TAB Meeting Calendar (for possible action).

- | | |
|---------------------|----------------------|
| • January 12, 2022 | • July 13, 2022 |
| • January 26, 2022 | • July 27, 2022 |
| • February 9, 2022 | • August 10, 2022 |
| • February 23, 2022 | • August 31, 2022 |
| • March 9, 2022 | • September 14, 2022 |
| • March 30, 2022 | • September 28, 2022 |
| • April 13, 2022 | • October 12, 2022 |
| • April 27, 2022 | • October 26, 2022 |
| • May 11, 2022 | • November 9, 2022 |
| • June 1, 2022 | • November 30, 2022 |
| • June 15, 2022 | • December 14, 2022 |
| • June 29, 2022 | • December 30, 2022 |

Motion by David Chestnut

Action: **APPROVE** as published

REVIEW holiday schedule at August 31, 2022 TAB meeting

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

VIII. Public Comment:

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

- None.

IX. Next Meeting Date

The next regular meeting will be January 26, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut
Action: **ADJOURN** meeting at 8:29 p.m.
Motion **PASSED** (5-0) /Unanimous

DRAFT

02/15/22 PC AGENDA SHEET

MASTER PLAN (MAP) AMENDMENT
(TITLE 30)

COUGAR AVENUE/BELCASTRO STREET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-22-700001-MAGNUS VEGAS LLC:

PLAN AMENDMENT to amend the adopted Clark County Trail Map – Las Vegas Valley in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located between Monte Cristo Way and Belcastro Street, and between Cougar Avenue and Torino Avenue within Enterprise. JJ/mc (For possible action)

RELATED INFORMATION:

APN:

176-15-701-031

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Project Type: Master Plan/map (Clark County Trail Map – Las Vegas Valley) amendment

Overview

The applicant requests to delete the existing equestrian trail alignment on Cougar Avenue between Monte Cristo Way and Belcastro Street, and on Belcastro Street between Cougar Avenue and Torino Avenue. In its place, the applicant is proposing new alignments on Monte Cristo Way between Cougar Avenue and Torino Avenue, and on Torino Avenue between Monte Cristo Way and Belcastro Street. The trails map was initially adopted by the Board of County Commissioners in 2007, and the current version was adopted in 2021.

Applicant's Justification

According to the applicant, as shown on the trail realignment exhibit included with this submittal, the applicant is requesting to relocate the trail that currently runs east along Cougar Avenue from Monte Cristo Way to Belcastro Street and then south down Belcastro Street. The proposed realignment would shift the trail south down Monte Cristo Way and east along Torino Avenue. This request would not remove the trail, but rather realign it to ensure the safest and most beneficial location for the existing homes in the area and any future residents of the proposed new development.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estates Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Single family residential & undeveloped

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

Related Applications

Application Number	Request
NZC-21-0745	Nonconforming zone change to reclassify 37.9 acres from R-E (RNP-1) to R-D is a companion item on this agenda.
VS-21-0746	A request to vacate and abandon rights-of-way on Belcastro Street, Cougar Avenue and Ford Avenue and patent easements is a companion item on this agenda.
TM-21-500212	Tentative map for a 94 lot single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Advanced Planning

The first part of the request is to remove the existing equestrian trail alignments (which travel through a proposed subdivision site) on Cougar Avenue and Torino Avenue. The second request is for approval of 2 new equestrian trail alignments - the first is on Monte Cristo Way between Cougar Avenue and Belcastro Street; the second is on Torino Avenue between Monte Cristo Way and Belcastro Street. The trails are part of the existing North Blue Diamond RNP Area which contains a 5 mile equestrian trails network, and these sections of trail are currently marked with horse crossing signage.

The proposed new alignments on Monte Cristo Way and Torino Avenue are the same length as the two alignments proposed for deletion on Cougar Avenue and Belcastro Street. The proposed realignments would not remove any equestrian trail length; however, they would shift the trail alignment closer to smaller lots and a number of developing subdivisions. For example, there are a number of developing subdivisions (at 2 du/acre) just west of the proposed new alignment on Monte Cristo Way. Subdivisions may present a number of negative impacts on equestrian trail users and trail siting, including increased traffic and loss of the rural atmosphere of the ranch estates neighborhood.

The current trail alignment is closer to larger lots (approximately 2 acre lots), and an undeveloped 20 acre parcel owned by BLM. This parcel is adjacent to the existing Belcastro Street trail alignment. These larger lots are more desirable and conducive to equestrian trails siting, as outlined in the following Transform Clark County Master Plan policy which

encourages the integration of equestrian trails and paths for people walking and riding bikes in large lot development with existing and proposed trail systems, open space and parks.

Due to the potential negative impacts of the requested trail realignments on equestrian trail users and preferred trail siting, staff finds the request for amending the Clark County Trail Map is not appropriate; therefore, staff cannot support this request.

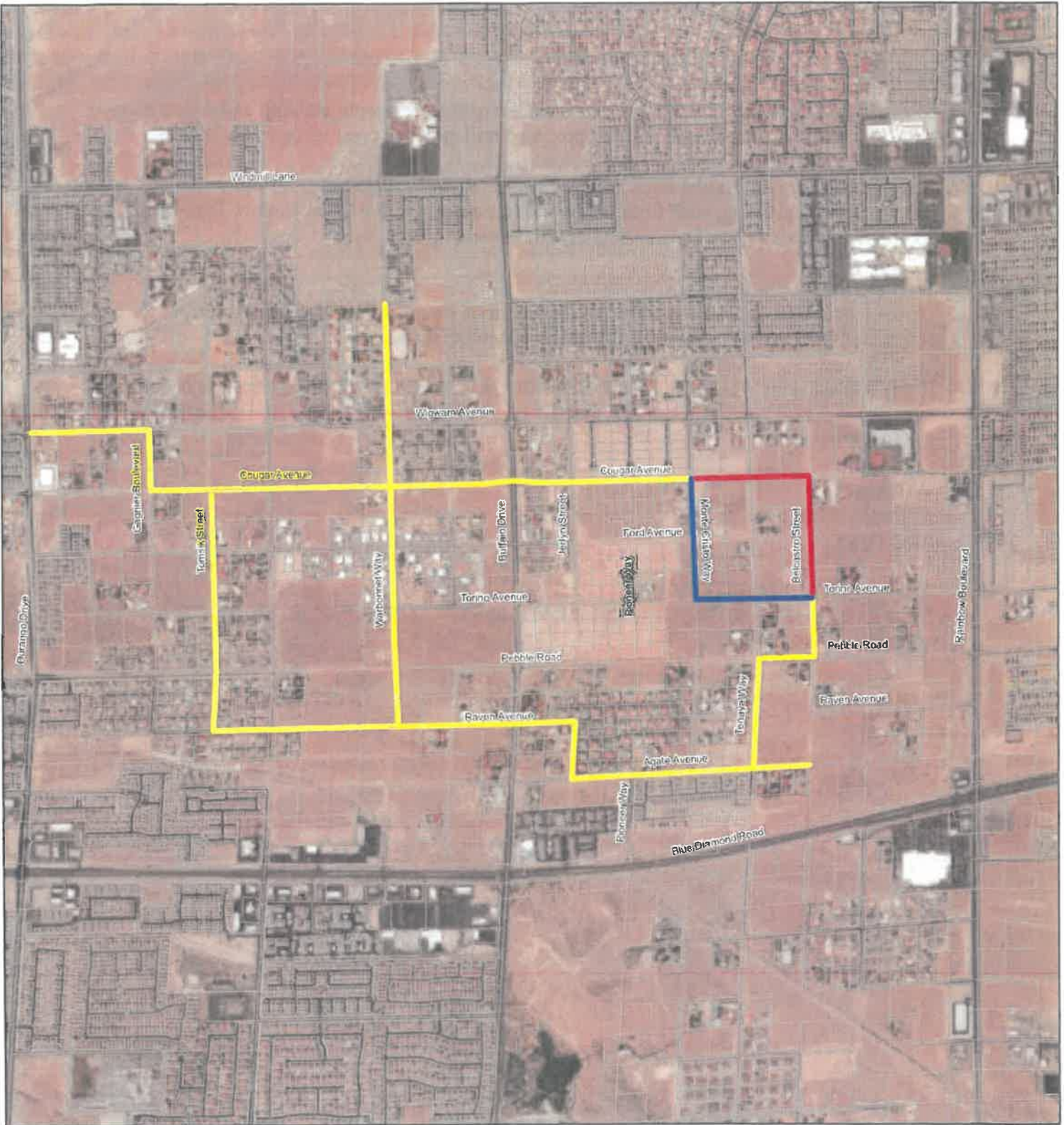
Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 16, 2022 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: MAGNUS VEGAS, LLC,
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



Comprehensive Planning

Comprehensive Planning Proposed Equestrian Trails
North Blue Diamond RNP Area

DRAFT

-  Existing Trail Alignment To Be Deleted
-  New Proposed Alignment
-  Existing Trail Alignment

Parcel

PA-22-700001

0 366 730 1,460

Scale in Feet

Map created on: January 5th, 2022

*This information is for display purposes only.
No liability is assumed as to the accuracy of the data delineated hereon.*



SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

TENAYA WY/WIGWAM AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0745-MAGNUS VEGAS LLC:

ZONE CHANGE to reclassify 37.9 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-D (Suburban Estates Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) increased wall height; 3) increase non-through (stub) street length; 4) reduced street widths; and 5) off-site improvements.

DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade.

Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise (description on file). JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

176-15-301-013; 176-15-301-031; 176-15-301-044; 176-15-701-006; 176-15-701-007; 176-15-701-011; 176-15-701-031; 176-15-701-034; 176-15-801-043

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the front setback for garages to 20 feet where a minimum of 30 feet is required per Table 30.40-1 (a 33.3% reduction).
 - b. Reduce the front setback for residences to a minimum of 10 feet where a minimum of 30 is required per Table 30.40-1 (a 66.6% reduction).
 - c. Reduce the side setback to 5 feet where a minimum of 10 feet is required per Table 30.40-1 (a 50% reduction).
 - d. Reduce the side street (corner) setback to 10 feet where a minimum of 15 feet is required per Table 30.40-1 (a 33.3% reduction).
2. Increase wall height to a maximum of 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
3. Increase the length of a non-through (stub) street to 203 feet where a maximum of 150 feet is allowed per Section 30.52.030 (a 35.3 % increase).
4.
 - a. Reduce the width of a portion of Belcastro Street (local street) to 47 feet where a minimum width of 60 feet is required per Section 30.52.030 (a 21.7% reduction).
 - b. Reduce the width of a private street leading up to the radius bulb of a cul-de-sac to 38 feet where a minimum of 40 feet is required per Uniform Standard Drawing 212 (a 5% reduction).

5. Waive off-site improvements being curbs, gutters, streetlights, sidewalks, and partial pavement where required per Section 30.52.050.

DESIGN REVIEWS:

1. A single family residential development.
2. Increased finished grade to a maximum of 72 inches (6 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

ENTERPRISE - RANCH ESTATES NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8515 Cote Road & 8575 S. Tenaya Way
- Site Acreage: 37.9
- Number of Lots: 94 residential/2 common
- Density (du/ac): 2.5
- Gross Minimum/Maximum Lot Size (square feet): 11,753/24,301
- Net Minimum/Maximum Lot Size (square feet): 10,052/18,603
- Project Type: Single family residential development
- Number of Stories: 1 & 2
- Building Height (feet): Up to 35
- Square Feet: 3,600 to 6,100
- Open Space Required/Provided: 0/51,841 square feet

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 37.9 acres from an R-E (RNP-I) Zone to an R-D Zone for a single family residential development. The applicant conducted a virtual neighborhood meeting on August 16, 2021 as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 32 neighbors attended the meeting. Concerns expressed by the neighbors for this project included the project density, a trail alignment, building heights, building setbacks, drainage, and traffic.

Site Plans

The plans depict a single family residential development consisting of 94 residential lots on 37.9 acres with a density of 2.5 dwelling units per acre. The site is bisected by Tenaya Way with the 2 portions of the project being developed as separate neighborhoods. The plans depict 31 lots on the portion of the site west of Tenaya Way and 63 lots on the portion of the site east of Tenaya Way. The entrances to both portions of the development will be from Tenaya Way and the entrances will be gated. The plans show 51,841 square feet of open space which will be used mainly for drainage easements. Access within the interior of the development will be from 38 foot wide private streets. No sidewalks are being provided within the development and with the exception of Wigwam Avenue, no sidewalks are being provided with the adjacent public streets.

There is an existing portion of Belcastro Street on the northern portion of the site that is dedicated, partially improved, and provides access to 4 existing single family residences abutting the site. The project will not provide right-of-way dedication from the terminus of this portion of Belcastro Street to Cougar Avenue. The applicant is requesting waivers of development standards to reduce the width of the right-of-way dedication for this portion of Belcastro Street and allow the over length stub street to provide the minimum necessary access to the existing residences. The site slopes from west to east with the lowest portions of the site being along the eastern boundary of the site. The requests for increased retaining wall heights and increased finished grade are for the areas along the eastern boundary of the site.

Landscaping

The plan depicts a 15 foot wide landscape area with a detached sidewalk along Wigwam Avenue consisting of trees, shrubs, and groundcover. The plans depict a 6 foot wide landscape area along the other public street that abuts this site consisting of trees, shrubs, and groundcover. At the entrances to the development the plans depict 10 foot wide landscape areas consisting of trees, shrubs, and groundcover.

Elevations

The plans depict a total of 8 different home models which include five, 2 story home models and three, 1 story home models. The 1 story home models will have a height of 20 feet and the 2 story home models will be up to 35 feet in height. All of the homes will have a flat roof. The exterior of the homes will consist of large decorative windows, combinations of stucco finish, stone, decorative metal panels, and concrete.

Floor Plans

The plans depict a total of 8 different home models which include five, 2 story home models and three, 1 story home models. The home will be between 3,600 square feet to 6,100 square feet in area. The homes will have options for 3 to 5 bedrooms and garages for 3 to 5 cars.

Applicant's Justification

The applicant indicates that the proposed development is compatible with existing and approved developments in the area. The increases in retaining wall height and increased finished grade are necessary to level the site to provide proper drainage. The request to waive off-site improvements is necessary to maintain the rural standards of the existing community and be in harmony with existing development in the area. The front setback reductions are to allow setbacks more in line with the R-E zoning district. The R-E Zone allow the setbacks to be measured from the property line, which is the center line of private streets. Whereas the R-D zone measures the front setback from the edge of the private street. The side street setback reduction will be internal to the site and only effect lots within the proposed development, they will not impact adjacent developments. The proposed modifications to the northern portion of Belcastro Street will allow necessary access to 4 existing residences without providing a fully developed local street which would be more costly to maintain, not benefit the community, and could create possible nuisance issues for the adjacent residents.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for portions of the Enterprise Planning Area which include this site and the surrounding area	Approved by BCC	October 2005

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Ranch Estates Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
South, East, & West	Ranch Estates Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

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

Related Applications

Application Number	Request
PA-22-700001	Amendment to the Master Plan for the Clark County Trail Map for the Las Vegas Valley is a companion item on this agenda.
VS-21-0746	A request to vacate and abandon easements and rights-of-way is a companion item on this agenda.
TM-21-500212	Tentative map 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

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 indicates there have been multiple changes in this area within the last few years which would make this request appropriate. These changes include the Legacy Charter School at

the southeast corner of Wigwam Avenue and Montessori Street, and residential developments which are located on the northwest corner of Wigwam Avenue and Montessori Street, and west of Rainbow Boulevard between Cougar Avenue and Torino Avenue. However, staff does not agree with the applicant. Schools, like the Legacy Charter School, are a special use that can be allowed within residential zoned districts. The Legacy Charter School site is zoned R-E (RNP-I) and the development of the school is not a change in law, policy, or trends for the area. The recently adopted Master Plan (November 2021) designates this site as Ranch Estates Neighborhood, which allows single family residential development up to 2 dwelling units per acre; which corresponds with the prior Enterprise Land Use Plan designation of Rural Neighborhood Preservation. This would indicate a continuing trend and policy to retain low density residential development for this area. The other residential developments referenced by the applicant are located at the edges of this established RNP-I area. This project would extend higher residential densities into the core of this established RNP-I area, farther than past developments. Therefore, staff finds that there has not been a change in law, policies, trends, or facts that have substantially changed the character or condition of this area to make this request appropriate.

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

The applicant indicates that densities for existing single family residential developments range from 2 to 6.8 dwelling units per acre; therefore, the overall density and intensity of this project is compatible with the area. However, the higher density residential developments are located on the edges of this established RNP-I area. The proposed development would increase residential density well into the interior of this RNP-I area where existing developments are at densities of 2 dwelling units per acre. Staff finds that the proposed development is not compatible with the density and intensity of existing developments within the interior of this RNP-I area.

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

There has been no indication from public services and facility providers that this development would have an adverse effect on public facilities and services in this area. The Clark County School District has indicated that this development would increase student yield by 37 students for the schools that serve this area (16 elementary students, 9 middle school students, and 12 high school students). The School District also indicates that 2 schools that would serve this area (Steele Elementary School and Sierra Vista High School) are over capacity with current enrollment. The increase in density for the proposed residential development will create an increased demand for parks within the area.

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

The site is designated Ranch Estates Neighborhood in the Master Plan. These are areas intended for single family residential development up to 2 dwelling unit per acre. Characteristics of these

areas include supporting the retention of existing large lot neighborhoods within the Las Vegas Valley, and providing greater setbacks between neighboring dwellings than typically found in suburban/urbanized area. The design of the project with the requested waivers of development standards for setbacks does not comply with the intent and characteristics for the Ranch Estates Neighborhood in the Master Plan. The project does comply with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residential for all ages, income levels, and abilities. However, by increasing the density of the development over 2 dwelling units per acre the project does not comply with Goal 1.5 of the Master Plan to maintain opportunities for ranch estate lifestyles with the Las Vegas Valley. Therefore, The proposed development does not comply with other applicable adopted plans and goals.

Summary

Zone Change

Staff finds that there has been no changes in law, policies, trends, or facts 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 proposed development is not compatible in density or intensity with existing or planned land uses in the surrounding area. The project will have an adverse effect on public facilities and services; and the project does not comply with other applicable adopted plans and goals. Therefore, staff finds the applicant has not provided a Compelling Justification to warrant approval of this nonconforming 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

Staff finds that there are no special or unique circumstances or conditions with this site to justify the proposed setback reductions. The applicant has not provided a sufficient justification to warrant the approval of these requests. Staff finds the request is due to the design and layout of the proposed development which is a self-imposed hardship. The applicant has not shown why a development cannot be designed for this site that complies with the design standards of Title 30. Additionally, staff does not support the zone change to reclassify this site to an R-D zone so staff cannot support waivers of development standards for a project based on the R-D development standards and recommends denial of these requests.

Waiver of Development Standards #2

The topography of the site may be a unique or special circumstance to warrant approval of a request to increase the height of the retaining walls. However, since staff does not support the zone change request, staff does not support the request to increase retaining wall heights for the project.

Design Review #1

Staff does not support the zone change and waivers of development standards necessary for the proposed layout of the development; therefore, staff cannot support the design review for the development.

Public Works - Development Review

Waivers of Development Standards #3 and #4a

Staff does not have a practical problem with the design of the portion of Belcastro Street just south of Wigwam Avenue, which includes a reduced public street width of 47 feet instead of 60 feet and a dead end length of 203 feet instead of 150 feet. Since Planning does not support the application in its entirety, staff cannot support this request.

Waiver of Development Standards #4b

Staff has no objection to the reduced width of the private streets that end in cul-de-sacs. A 38 foot wide street section, measured from the back of curbs where R-curb is used, is permitted for private streets that are not hammerheads or cul-de-sacs. Staff finds that an additional 2 feet of width to make the street 40 feet wide will not provide any benefit for the subdivision. However, since Planning does not support the application in its entirety, staff cannot support this request.

Waiver of Development Standards #5

Staff cannot support the request for non-urban standards on all streets, with the exception of Wigwam Avenue and Montessouri Street. While streets adjacent to other subdivisions in the area are improved to non-urban standards, those subdivisions retained their R-E (RNP-I) zoning, which allows non-urban standards on all local streets. Full off-site improvements are important for the effective flow of traffic, proper control of drainage, and the safety of pedestrians.

Design Review #2

This design review represents the maximum grade difference within 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. However, since Planning does not support the application in its entirety, staff cannot support this request.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 16, 2022 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 4 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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;
- Full off-site improvements on Wigwam Avenue and Montessouri Street;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 30 feet for Montessouri Street, 17 feet for Belcastro Street adjacent to APN 176-15-701-006, 30 feet for Belcastro Street south of Cougar Avenue, 30 feet for Cougar Avenue and an elbow at the Cougar Avenue/Belcastro Street intersection, 40 feet to 80 feet for Tenaya Way, 30 feet for Ford Avenue west of Tenaya Way, 30 feet for Monte Cristo Way, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Applicant to coordinate a contribution with Public Works for improvements on Belcastro Street, Cougar Avenue, Tenaya Way, Ford Avenue, and Monte Cristo Way;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- 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; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 and reference POC Tracking #0300-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MAGNUS VEGAS, LLC
CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,
SUITE 650, LAS VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

2A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) 475 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) 275 <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 APP. NUMBER: <u>NZC 216-795</u> DATE FILED: <u>JAN 18 2021</u> PLANNER ASSIGNED: <u>TA</u> TAB/CAC: <u>Erivona</u> TAB/CAC DATE: <u>1/18/21</u> PC MEETING DATE: <u>2-15-20</u> BCC MEETING DATE: <u>3-18-20</u> FEE: <u>5495</u>
	PROPERTY OWNER NAME: <u>Magnus Vegas, LLC</u> ADDRESS: <u>8912 Spanish Ridge Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Magnus Vegas, LLC</u> ADDRESS: <u>8912 Spanish Ridge Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
CORRESPONDENT NAME: <u>Kaempfer Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>70@kcnylaw.com</u> REF CONTACT ID #: <u>171509</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-15-301-013, 031, 044; 176-15-701-006, 011, 031 & 34 and 176-15-801-043

PROPERTY ADDRESS and/or CROSS STREETS: Montecristo, Tenaya, Torino, Wigwam, Cougar and Belcastro

PROJECT DESCRIPTION: Residential Development

(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 designees, 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)*
Philippe Zade

Property Owner (Print)
PHILIPPE ZADE

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 04.15.2021 (DATE)

By Philippe Zade
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

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcwvlaw.com
702.693.4215

NZC-21-0745

December 22, 2021

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VIA EMAIL

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

Re: *Compelling Justification Letter – Nonconforming Zone Change to R-D; Design Review for Single-Family Residential Development; Waiver of Development Standards to (1) Allow Non-Urban Street Standards (waive streetlights, sidewalk, curb, gutter, and partial paving) and (2) Increase Height of Retaining Wall (3) Setbacks (4) Overlength Stub street and reduced right of way width (5) Reduce Street width connecting to cul-de-sac; Design Review to Increase Grade; and Tentative Map APNs: 176-15-701-006, 007, 011, 031, & 034; 176-15-301-031, 044, & 013; and 176-15-801-043*

To Whom It May Concern:

Please be advised our office represents Magnus Vegas, LLC (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 37.91 gross acres and 34.49 net acres generally located between Wigwam Avenue and Torino Avenue and on the west and east sides of Tenaya Way. The property is more particularly described as APNs: 176-15-701-006, 007, 011, 031, & 034; 176-15-301-031, 044, & 013; and 176-15-801-043 (collectively the "Site"). The Applicant is requesting a nonconforming zone change from R-E (RNPI) to R-D and a design review to develop 94 single-family homes.

Nonconforming Zone Change:

The Enterprise Land Use Plan designation for the Site is Rural Neighborhood Preservation I (RNP I). 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 Enterprise Land Use Plan was last amended in October of 2014, however, re-adopted in February, 2021, and due to the COVID-19 pandemic the recent update to the Enterprise Land Use Plan was cancelled. There have been multiple changes within the last several years with the

recent approvals. In particular, the Legacy Charter School, located at the southeast corner of Wigwam Avenue and Montessori Street, has been approved and open for the past several years.

Additionally, a new R-2 zoned, 168-lot single-family residential development located between Cougar Avenue and Torino Avenue and on both the east and west sides of Rosanna Street was recently approved via NZC-19-0982. NZC-19-0982 rezoned approximately 15 acres from R-E (RNP-1) to R-2 with an overall density of approximately 6.8 units/acres. With the recent approvals of these two developments, especially NZC-19-0982, an R-D zoning request with a density cap of 2.5 dwelling units per acre fits the trends in the area.

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 approved development of denser single family development in the area, the density and intensity of this proposed use is compatible with not only what is approved to the east of the Site but to the developed and undeveloped residential properties around the Site. The zoning densities range between 2 units/acre and up to 6.8 units/acre. Thus, overall, the density and intensity is compatible with 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 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. Since the proposed zoning is R-D, the Site will provide recreational amenities which will not burden Clark County recreation facilities. With the Legacy Charter School now open, additional school services are offered in the area. 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:

The proposed project meets several of the general policies of the new Urban Land Use Policies, including but not limited to:

- Policy 4 encourages existing residential neighborhoods to be preserved by developing similar densities in the existing area. Here, the project is providing lot sizes of similar size to the existing homes in the immediate area.
- Policy 10 encourages site design to be compatible with adjacent land use and off-site circulation patterns. The Applicant has been working directly with Public Works to ensure the most appropriate circulation is provided throughout the Site and the surrounding area.

- Policy 14 encourages design that will allow for and encourage recycling. Here, the project is environmentally focused and will encourage recycling.

Not only is the proposed development compatible with the general policies of the Urban Land Use Policies, but it is also compatible with all three of the more specific Estate Residential policies of the Urban Land Use Policies, which are:

- Policy 36 encourages the implementation of non-urban street standards. Here, the Applicant is requesting waiver of development standards to allow rural street standards.
- Policy 37 discourages gated communities. Here, the Applicant is not requesting to gate the proposed development.
- Policy 38 encourages new residential development adjacent to existing residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater) be of similar height. Here, all the lot sizes are greater than 10,000 square feet with the smallest lot size of 10,052 square feet. Additionally, proposed homes are a mixture of one and two story homes.

Design Review:

The Applicant is proposing to develop a 94-lot single-family development on the Site. The Site is bisected by Tenaya Way. The Applicant is proposing to develop 31 homes on the west side of Tenaya Way and 63 homes on the east side of Tenaya Way. Access to both the west and east side of the proposed development is from Tenaya Way. The Site will provide over 50,000 square feet of common lot open space where no open space is required for the RD zoned development - 30,000 square feet on the west side of the development and over 21,000 square feet on the east side of the development. The lot sizes will range between 11,753 square feet to 24,301 square feet with an average lot size of 15,070 square feet.

The Site will provide a mixture of one and two story homes with heights ranging between 26' to 35' in height. The homes will provide 3 to 5 car garages and range in size from 3,600 square feet to 6,100 square feet. Elevations are modern in nature with flat roofs, large decorative windows and various architectural enhancements including vertical metal panels and concrete siding.

The proposed development will be incredibly unique by combing technology, sustainability, cutting edge construction methods and real estate to create homes that residents and neighboring homes will be proud of. The homes will be powered by Tesla solar panels and have battery storage with the Tesla power packs. They will be designed with maximum efficiency to minimize the amount of energy being used or wasted. Understanding that solar production is limited, how the home energy is managed and utilized is just as important to give future home owners the best cost of ownership. The homes will be built to the Department of Energy (DOE)

Net Zero Ready Program Standards and will be equipped with sensors, technology and a system that will assist in managing the energy of the home. If the home owner is not at the residence, the home will know this and adjust various internal systems such as the water heating, AC temperature, electricity, and shades to cool the home. Each home will also include a Model 3 Tesla to expand this efficiency to the road. This community will provide a sustainable lifestyle without sacrificing luxury, technology or beauty.

The proposed development complies with all of Title 30 objectives and standards:

- **Minimum 5 Gross Acres:** Here, the Site is approximately 37.5 acres.
- **Common Ownership:** Here, the Site is under common ownership and owned by Magnus Vegas, LLC.
- **Minimize Adverse Impacts on Surrounding Property:** Here, the proposed development is compatible with the rural estates neighborhood and there are no adverse impacts on the surrounding property by providing. The proposed density is only 2.5 units/acre and, as such, the Site will have little impact on the surrounding infrastructure.
- **Encourage Infill Development that is Compatible and Harmonious with Adjacent Uses, Both Existing and Planned:** Here, Site is an infill to the RNP. The Site design is compatible with the existing uses as the proposed plan is providing large lots that are appropriately buffered from existing develop and the Applicant is requesting to waive the full off-site improvements which are compatible and harmonious to the area.
- **Provide Development that is Compatible with the County's Goals and Objectives and Contributes to the General Prosperity, Health, Safety, and Welfare of the Community:** The Applicant is adhering Urban Land Use Policies and specifically Policies 36, 37, and 38 and discussed above. The development of the Site will help ensure the continued prosperity of the RNP.
- **Provide Consistency with the Plan, this Title, and Other Applicable Plans, Policies, Standards and Regulations:** The proposed development complies with Urban Land Use Policies and Title 30.

Waiver of Development Standards:

- **Allow Non-Urban Street Standards Along adjacent right of ways except Wigwam and Montessori:**

The Applicant is seeking to waive full off-sites (streetlights, sidewalk, curb, gutter, and partial paving) along Tenaya Way and all adjacent right of way except Wigwam and Montessori. The request is appropriate as Tenaya Way is currently developed out to rural standards with no

off-sites improvements south of Wigwam Way. Additionally, this request complies with Policy 36 of the Urban Land Use Policies.

- **Increase Wall Height**

The Applicant is seeking to increase the retaining wall to 6' with a 6' high screen wall where a 3' maximum retaining wall with a 6' screen wall is permitted. The increase in wall is predominately along the east property line of the Site along the Montessori Street and Belcastro Avenue alignments. Because of the natural slope of the Site from west to east, the Applicant is required to increase the pad heights in this area. As a result, a 6' tall retaining wall is required.

- **Waiver of Setbacks**

The Applicant is seeking a waivers for setbacks of the following:

	RD Required setback	Requested setback
Front Garage	30-ft	20-ft (measured from back of curb or sidewalk if exists)
Front	30-ft (a 12-ft reduction for 50% of building width)	10-ft (measured from back of curb or sidewalk if exists)
Rear	25-ft	25-ft
Side	10-ft	5-ft
Side corner	15-ft	10-ft

The requested reduction are for front and sides. The front yard reduction will allow the homes to be built with similar setbacks as allowed in RE zoning. RD zoning code requires front setbacks to be measured from back of curb or sidewalk where RE is measured from centerline of street. The side setback reduction will mainly impact internal lots as most of the lots adjacent to existing homes have rear yards facing them.

- **Waiver to allow a street over 150-ft in length that does not end in a County-approved turn around and a reduced right of way width of 47 feet where 60 feet is required**

The Applicant is seeking a waiver of Title 30.52.030.a.1.F to satisfy the conditions on Belcastro Street adjacent to Wigwam Avenue. Portions of Belcastro Street are being vacated for the proposed subdivision. For the portion mentioned in this paragraph, the width will be reduced to 47ft total and service an existing 4-lot cul-de-sac. The resulting public stub street will be 202.37ft long from right of way to back of right of way. While the public portion of the road results in a stub street without a turnaround, the exhibit private drive and cul de sac that is

connected to the end of the created stub street would provide adequate turn around space and movements for any emergency vehicles.

- **Waiver of Cul-de-Sac width**

The Applicant is seeking a waiver as currently required for the width of a street leading into a cul-de-sac bulb. CCAUSD #212 depicted a back of curb to back of curb width as 40ft. The streets within the subdivision are 38ft back of curb to back of curb as allowed by CCAUSD 210.S1. To rectify the two widths, we are requesting a waiver of CCAUSD#212 to allow the 38ft width leading into the cul-de-sac bulb.

Design Review to Increase Grade:

As indicated above, the Site's natural slope is west to east. Because of the decreasing elevation from west to east, the Applicant will have to increase the grading to maximum of 72" primarily along the east property line of the Site to accommodate drainage flows.

Tentative Map:

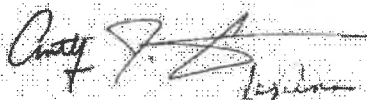
The Applicant is requesting a tentative map consisting of a 94-lot single-family residential subdivision along with 2 common lots and the proposed vacation and abandonments of patent easements and right-of-ways. The proposed tentative map matches the proposed site plan.

The Applicant is requesting the 30-ft right of way radius be allowed since this area is adjacent to a drainage easement draining into the Cougar alignment. The smaller radius allows for the right of way line and drainage easement to have a more perpendicular interaction (instead of diagonal as would be the case with the larger right of way radius), helping keep the stormwater in a direct path of the Cougar alignment. The larger 80-ft and 75-ft radius areas will fit within the requested dedicated right of way.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

02/15/22 PC AGENDA SHEET

EASEMENTS & RIGHTS-OF-WAY
(TITLE 30)

TENAYA WY/WIGWAM AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0746-MAGNUS VEGAS LLC:

VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Torino Avenue (alignment) and between Monte Cristo Way and Montessouri Street (alignment), and a portion of right-of-way being Belcastro Street located between Wigwam Avenue and Cougar Avenue, and a portion of right-of-way being Cougar Avenue located between Monte Cristo Way and Tenaya Way, and a portion of right-of-way being Ford Avenue located between Tenaya Way and Belcastro Street within Enterprise (description on file). JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

176-15-301-013; 176-15-301-031; 176-15-301-044; 176-15-701-006; 176-15-701-007; 176-15-701-011; 176-15-701-031; 176-15-701-034; 176-15-801-043

LAND USE PLAN:

ENTERPRISE - RANCHESTATES NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop this site as a single family residential development. The request is to vacate easements and rights-of-way that the applicant believes are not necessary for development of this area. All required rights-of-way and easements will be dedicated with the subdivision of the property.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for portions of the Enterprise Planning Area which include this site and the surrounding area	Approved by BCC	October 2005

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Ranch Estates Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-I) & R-1	Single family residential undeveloped &

Surrounding Land Use

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

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

Related Applications

Application Number	Request
PA-22-700001	Amendment to the Master Plan for the Clark County Trail Map for the Las Vegas Valley is a companion item on this agenda.
NZC-21-0745	Nonconforming zone change to reclassify the site to an R-D zone for a single family residential development is a companion item on this agenda.
TM-21-500212	Tentative map 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

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 16, 2022 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 4 years of the approval date or the application will expire.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 30 feet for Montessouri Street, 17 feet for Belcastro Street adjacent to APN 176-15-701-006, 30 feet for Belcastro Street south of Cougar Avenue, 30 feet for Cougar Avenue and an elbow at the Cougar Avenue/Belcastro Street intersection, 40 feet to 80 feet for Tenaya Way, 30 feet for Ford Avenue west of Tenaya Way, 30 feet for Monte Cristo Way, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MAGNUS VEGAS, LLC

CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,
SUITE 650, LAS VEGAS, NV 89135



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____	DATE FILED: _____
		PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PC MEETING DATE: _____	BCC MEETING DATE: _____
		FEE: _____	

PROPERTY OWNER	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u>

APPLICANT	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

CORRESPONDENT	NAME: <u>Kaempfer Crowell - Bob Gronauer</u>
	ADDRESS: <u>1980 Festival Plaza Dr. #850</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>rjg@kcnvlaw.com</u> REF CONTACT ID #: <u>171509</u>

ASSESSOR'S PARCEL NUMBER(S): 176-15-301-013, 031, 044; 176-15-701-006, 011, 031 & 034
176-15-801-043

PROPERTY ADDRESS and/or CROSS STREETS: Wigwam and Montecristo

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.

 Property Owner (Signature)
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 04.15.2021 (DATE)
 By: Phillippe Ziadé
 NOTARY PUBLIC: _____

 Property Owner (Print)
 PHILIPPE ZIADÉ - CEO



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



TANEY ENGINEERING

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

December 16, 2021

VS-21-0746

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

RE: Tenaya & Ford: Vacate Patent Easements/ Right of Ways, Traffic and Equestrian Easements
APN 176-15-301-013, 176-15-301-031, 176-15-301-044, 176-15-701-006 and -007,
176-15-701-011, 176-15-701-031, 176-15-701-034, 176-15-801-043, 176-15-701-020

On behalf of our client, Magnus Vegas LLC, Taney Engineering is respectfully submitting a project description letter for Patent Easement Vacations, and Right-of-Way Vacations with our concurrent submittal of a Tentative Map, Design Review, and a Waiver of Development Standards for a residential subdivision.

Right of way Vacation:

The purpose is to vacate portions of dedicated right-of-way of Cougar Avenue (Monte Cristo alignment approx. 330-ft east), and a portion of the dedicated right-of-way of Ford Avenue (Tenaya west approx. 330-ft), and Belcastro Street (approx. 200-ft south of Wigwam)

Patent Vacation:

The purpose is to vacate portions of patent easements along the Ford Avenue alignment, between Tenaya Way and Belcastro Street; Cougar alignment between Monte Cristo Way and Belcastro Street; Belcastro alignment between Wigwam Avenue and Cougar Avenue. Also vacate the 33-ft wide patent easements along all boundaries of APN 176-15-301-013, 176-15-701-011, 176-15-701-006 & 176-15-701-007.

BLM Right-of-way Grant Vacation:

The purpose is to vacate BLM roadway and right of way grant for public road purposes along the Belcastro alignment between Wigwam Avenue and Cougar Avenue. And Ford Ave. alignment between Tenaya Way and Belcastro Street.

Equestrian Trail Vacation:

The purpose of this is to vacate the equestrian trail BLM grant along the Cougar alignment and Belcastro alignment, where right of way is not proposed to remain for future public roads. The trail realignment was approved by Clark County in Agenda Item #AG-21-900636.

Traffic Improvements

The purpose is to vacate a portion of a traffic improvements easement, specifically the portion along Cougar Avenue on APN 176-15-301-039. This requested coincides with the request to vacate that portion of Cougar Avenue.

A legal description, exhibit, and supporting documents for each vacation have been provided with this application for review.

If you have any questions or require additional information, please do not hesitate to call our office.

Sincerely,

Elisha Scrogum
Taney Engineering

02/15/22 PC AGENDA SHEET

TENAYA & FORD
(TITLE 30)

TENAYA WAY/WIGWAM AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-21-500212-MAGNUS VEGAS LLC:

TENTATIVE MAP consisting of 94 single family residential lots and common lots on 37.9 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise. JJ/al/ja (For possible action)

RELATED INFORMATION:

APN:

176-15-301-013; 176-15-301-031; 176-15-301-044; 176-15-701-006; 176-15-701-007; 176-15-701-011; 176-15-701-031; 176-15-701-034; 176-15-801-043

LAND USE PLAN:

ENTERPRISE - RANCH ESTATES NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8515 Cote Road & 8575 S. Tenaya Way
- Site Acreage: 37.9
- Number of Lots: 94 residential/2 common
- Density (du/ac): 2.5
- Gross Minimum/Maximum Lot Size (square feet): 11,753/24,301
- Net Minimum/Maximum Lot Size (square feet): 10,052/18,603
- Project Type: Single family residential development

Site Plans

The plans depict a single family residential development consisting of 94 residential lots on 37.9 acres with a density of 2.5 dwelling units per acre. The site is bisected by Tenaya Way with the 2 portions of the project being developed as separate neighborhoods. The plans depict 31 lots on the portion of the site west of Tenaya Way and 63 lots on the portion of the site east of Tenaya Way. The entrances to both portions of the development will be from Tenaya Way and the entrances will be gated. The plans show 51,841 square feet of open space which will be used mainly for drainage easements. Access within the interior of the development will be from 38 foot wide private streets. No sidewalks are being provided within the development and with the exception of Wigwam Avenue, no sidewalks are being provided with the adjacent public streets.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for portions of the Enterprise Planning Area which include this site and the surrounding area	Approved by BCC	October 2005

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Ranch Estates Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
South, East, & West	Ranch Estates Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

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

Related Applications

Application Number	Request
PA-22-700001	Amendment to the Master Plan for the Clark County Trail Map for the Las Vegas Valley is a companion item on this agenda.
NZC-21-0745	Nonconforming zone change to reclassify the site to an R-D zone for a single family residential development is a companion item on this agenda.
VS-21-0746	A request to vacate and abandon easements and rights-of-way 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. However, staff does not support NZC-21-0745, the zone change which must be approved to allow for the approval of this tentative map.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 16, 2022 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 Master Plan, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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;
- Full off-site improvements on Wigwam Avenue and Montessori Street;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 30 feet for Montessori Street, 17 feet for Belcastro Street adjacent to APN 176-15-701-006, 30 feet for Belcastro Street south of Cougar Avenue, 30 feet for Cougar Avenue and an elbow at the Cougar Avenue/Belcastro Street intersection, 40 feet to 80 feet for Tenaya Way, 30 feet for Ford Avenue west of Tenaya Way, 30 feet for Monte Cristo Way, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Applicant to coordinate a contribution with Public Works for improvements on Belcastro Street, Cougar Avenue, Tenaya Way, Ford Avenue, and Monte Cristo Way;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- 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; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 and reference POC Tracking #0300-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MAGNUS VEGAS, LLC
CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,
SUITE 650, LAS VEGAS, NV 89135

DRAFT



TENTATIVE MAP APPLICATION 4A

DEPARTMENT OF COMPREHENSIVE PLANNING
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>702-792-7000</u>	DATE FILED: <u>12-28-21</u>
		PLANNER ASSIGNED: <u>R</u>	TAB/CAC DATE: <u>1-25-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Interim</u>	
		PC MEETING DATE: <u>2/15/22</u>	
		BCC MEETING DATE: <u>2/15/22</u>	
		FEE: <u>8750</u>	

PROPERTY OWNER	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u>

APPLICANT	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

CORRESPONDENT	NAME: <u>Kemper Crowell - Bob Gronauer</u>
	ADDRESS: <u>1980 Festival Plaza Dr. #850</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>rlg@kcwvlaw.com</u> REF CONTACT ID #: <u>171509</u>

ASSESSOR'S PARCEL NUMBER(S): 176-15-301-013, 031, 044; 176-15-701-006, 011, 031, & 034 and 176-15-801-043

PROPERTY ADDRESS and/or CROSS STREETS: near Wigwam and Montecristo

TENTATIVE MAP NAME: Magnus Vegas, LLC

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)* <u>[Signature]</u>	Property Owner (Print) <u>PHILIP ZIADE</u>
STATE OF <u>Nevada</u>	
COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>04-15-2021</u> (DATE)	
By <u>Philip Ziadé</u>	
NOTARY PUBLIC: <u>[Signature]</u>	



*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.

02/16/22 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION
(TITLE 30)

PEBBLE RD/RAINBOW BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400188 (UC-19-0794)-DOLLAR SELF STORAGE 22, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) convenience store; and 2) gasoline station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from a convenience store to a residential use; 2) allow an attached sidewalk; and 3) alternative driveway geometrics.

DESIGN REVIEW for a convenience store and gasoline station on a 0.9 acre portion of 5.0 acres in a C-1 (Local Business) Zone.

Generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:
176-14-401-012 ptn

LAND USE PLAN:
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description:

General Summary

- Site Address: N/A
- Site Acreage: 5 (portion)
- Project Type: Convenience store and gasoline station
- Number of Stories: 1
- Building Height (feet): 26
- Square Feet: 3,500
- Parking Required/Provided: 14/21

History & Site Plan

NZC-18-0006 reclassified 5 acres from R-E zoning to C-1 zoning for a mini-warehouse facility on the eastern and northern portion of the 5 acre parcel. UC-19-0794 approved a convenience store with a gasoline station on the southwest corner of the subject parcel. Today, the applicant is requesting a first extension of time for UC-19-0794.

The previously approved site plan depicts the convenience store and gasoline station will share a driveway on Rainbow Boulevard with the mini-warehouse, which was previously approved with a reduced departure distance of 115 feet where 190 feet is required. Waivers for reduced separation from a convenience store to a residential use, allowed an attached sidewalk, and alternative driveway geometrics was previously approved with UC-19-0794.

The mini-warehouse will eventually provide a buffer between the convenience store and the residence; however, the mini-warehouse is not yet built. The convenience store is set back 91 feet from the southern property line along Pebble Road and 151 feet from the western property line along Rainbow Boulevard. The gasoline canopy is set back 63 feet from the southern property line and 56 feet from the western property line.

Parking spaces are located along the south property line adjacent to Pebble Road, and on the south and west sides of the convenience store. A trash enclosure is also located on the south side of the convenience store. Cross access will be provided with the mini-warehouse office to the north.

Landscaping

The previously approved landscape plan depicts an attached sidewalk along Rainbow Boulevard with a 17 foot wide landscape strip behind the attached sidewalk. Along Pebble Road, a detached sidewalk is depicted with a 5 foot wide landscape strip, 5 foot wide sidewalk, and 10 foot wide landscape strip. Along both Rainbow Boulevard and Pebble Road, the plans depict 2 off-set rows of large trees spaced 20 feet on center. Trees are also depicted within parking lot landscape fingers and around the base of the convenience store.

Elevations

The convenience store is 26 feet high to a parapet wall above the main entrance; however, the parapet walls around the remainder of the building only extend to 23 feet high. Exterior materials will consist of painted stucco, a decorative rigid wall system that attaches to the face of the building to create a different surface plane, and stone veneer around the main entrance.

The gasoline canopy consists of a metal panel shade structure that extends to a height of 20 feet 8 inches. Stone veneer accents are located around the base of the support columns.

Floor Plan

The 3,500 square foot convenience store consists of a sales floor, cooler, freezer, service area, office, and restrooms. The canopy over the fueling pumps is approximately 3,273 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for UC-19-0794:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- The applicant to work with the developer of the mini-warehouse project and coordinate the design, approval, and installation of off-site improvements along Pebble Road;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to back of curb for Rainbow Boulevard, 45 feet to 50 feet to back of curb for Pebble Road, and associated spandrel;
- If required by the Regional Transportation Commission, provide a bus shelter pad easement as shown on the east side of Rainbow Boulevard, north of Pebble Road;
- Vacate all unnecessary easements, including but not limited to BLM grants and resolutions relative to the acquisition of right-of-way, unless previously vacated.
- Applicant is advised that the driveways must be a minimum of 36 feet wide, measured from the lip of the gutter to the lip of the gutter, unless medians are installed to prohibit left turns from site; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0581-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification letter, the applicant is requesting a first extension of time to preserve the approved entitlements in order to continue working with the property owner and coordinate the design, approval, and installation of off-site improvements along Pebble Road. The following technical studies and applications have commenced on the site: 1) a traffic study has been approved for the applicant with PW20-10889; 2) VS-20-0401 was approved and in process of recording; 3) the applicant is working with the property owner, via MSM-21-600078, to subdivide the overall 5 acres so that the applicant can acquire ownership of the 0.9 acre parcel and continue with the remaining technical studies; in accordance with a specific condition on

UC-19-0794; 4) the applicant has been coordinating with the property owner on the design, approval, and installation of off-site improvements along Pebble Road; and 5) NZC-18-0006, which established the C-1 zoning on the overall 5 acre parcel, which includes the 0.9 acres that was approved for a convenience store and gasoline station, was recently approved for a first extension of time in May 2021.

Prior Land Use Requests

Application Number	Request	Action	Date
DA-21-900356	Development Agreement - ordinated and recorded	Approved by BCC	August 2021
ET-21-400050 (NZC-18-0006)	First extension of time of a nonconforming zone change to reclassify 5 acres to C-1 zoning for a mini-warehouse with alternative driveway geometrics on Rainbow Boulevard	Approved by BCC	May 2021
VS-20-0401	Vacated and abandoned easements	Approved by PC	November 2020
UC-19-0794	Allowed a convenience store with a gasoline station with waivers to reduce the separation from a residential use, allowed an attached sidewalk, and alternative driveway geometrics	Approved by BCC	January 2020
NZC-18-0006	Reclassified the site to C-1 zoning for a mini-warehouse with alternative driveway geometrics on Rainbow Boulevard	Approved by BCC	May 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P & R-E	The Goddard School & single family residential
South	Corridor Mixed-Use	C-2 & R-2	Undeveloped & single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Corridor Mixed-Use	C-2	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial

changes have occurred at the subject site since the original approval. Staff finds that there is an approved traffic study (PW20-10889), a recently approved vacation and abandonment (VS-20-0401), the nonconforming zone change (NZC-18-0006) remains active per a recently approved extension of time (ET-21-400050), and there is an existing parcel map (MSM-21-600078) in process with the Mapping Team. Staff finds that since the applicant has demonstrated a significant amount of progress on the site, staff supports this request.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until January 8, 2024 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances of regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ACTIVE COMMERCIAL, LLC

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012



LAND USE APPLICATION
DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-19-0794 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-21-400188</u> DATE FILED: <u>12/28/21</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>1/26/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>FEB. 16 2022</u> FEE: <u>\$900</u>
	PROPERTY OWNER NAME: <u>Dollar Self Storage 22, LLC</u> ADDRESS: <u>17671 Cowan Avenue</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92614</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Active Commercial</u> ADDRESS: <u>6725 S. Eastern Avenue, Unit 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 868-7870</u> CELL: <u>(702) 612-5600</u> E-MAIL: <u>asif@activecra.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Dioncio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>

ASSESSOR'S PARCEL NUMBER(S): 175-14-401-012 ptn
 PROPERTY ADDRESS and/or CROSS STREETS: NEC Rainbow Blvd. and Pebble Rd.
 PROJECT DESCRIPTION: Convenience store with gasoline station

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

[Signature]
 Property Owner (Signature)*

John C Thomson
 Property Owner (Print)

STATE OF _____
 COUNTY OF See Attached

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____

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

ET-21-400188

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

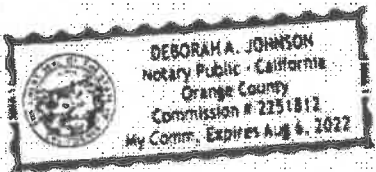
- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Orange

Subscribed and sworn to (or affirmed) before me
 on this 15 day of December 2021
 by Date Month Year
 (1) John C. Thongoh
 (and (2) N/A)
Name(s) of Signer(s)



Place Notary Seal and/or Stamp Above

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
 Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Land Use Application
 Document Date: _____ Number of Pages: _____
 Signer(s) Other Than Named Above: _____

December 17, 2021

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

ET-21-40088

RE: JUSTIFICATION LETTER – First Extension of Time on UC-19-0794

On behalf of Active Commercial, we are requesting a first extension of time to commence on UC-19-0794 for a convenience store and gasoline station. The subject site is 0.9 acres, zoned C-1, and located at the NE corner of Rainbow Boulevard and Pebble Road. By way of background, the project was originally approved in January 2020, subject to a number of conditions of approval. The applicant is requesting a first extension of time to preserve the approved entitlements in order to continue working with the property owner and coordinate the design, approval, and installation of off-site improvements along Pebble Road.

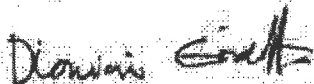
The applicant has been diligently working on the project and a first extension of time is appropriate for the following reasons:

1. A traffic study has been approved for the applicant with PW20-10889;
2. VS-20-0401 was approved and in process of recording;
3. The applicant is working with the property owner, via MSM-21-600078, to subdivide the overall 5.0 acres so that the applicant can acquire ownership of the 0.9 acre parcel and continue with the remaining technical studies;
4. In accordance with a specific condition on UC-19-0794, the applicant has been coordinating with the property owner on the design, approval, and installation of off-site improvements along Pebble Road; and
5. NZC-18-0006, which established the C-1 zoning on the overall 5.0 acre parcel, which includes the 0.9 acres that was approved for a convenience store and gasoline station, was recently approved for a first extension of time in May 2021.

Additionally, we believe an extension of time for the special use permits, waivers of development standards, and design review is appropriate for the following reasons: 1) circumstances have not substantially changed in the immediate area; 2) circumstances have not substantially changed to the subject property; and 3) there have been no changes in the laws or policies affecting the subject property. Therefore, this request meets all required provisions for an extension of time as listed in Title 30.

Thank you for the consideration.

Sincerely,



02/16/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

GOMER RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400185 (ZC-0659-17)-HORIZON WEST HOMES, LLC:

WAIVER OF CONDITIONS of a zone change requiring per revised plans dated 10/17/17 in conjunction with a single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/ja (For possible action)

RELATED INFORMATION:

APN:

176-29-101-002

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Number of Lots: 8
- Density (du/ac): 7.3
- Project Type: Single family development

Site Plans

The original plans show an 8 lot single family residential subdivision, with 2 common elements along Gomer Road. The lots front onto a 38 foot wide private street, with the street terminating in a hammerhead street design.

WS-21-0729 is a companion item on this agenda for a revised layout of the subdivision. The general layout of the subdivision is the same, with the private street terminating in a hammerhead. The changes from the original plans include: 1) use of a R-Curb and gutter, rather than an L-curb; 2) an increase in the width of the street from 37 feet to 38 feet, which is a result of using the R-curb rather than the L-curb; and 3) a very slight reduction (maximum 2% reduction) in lot size.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0659-17:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Per revised plans date 10/17/17;
- 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 services because of lack of necessary public services in the area.

Public Works - Development Review

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

Clark county Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request must be completed prior to submittal of civil improvement plans; and that instructions may be found on the CCWRD website.

Applicant's Justification

The applicant indicates the 24 inch residential type R-Curb and gutter is the predominant curb style in the existing surrounding neighborhoods. In addition, the R-Type curb and gutter allows for an increase in the width of the street to 38 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0659-17	Reclassified to R-2 zoning for an 8 lot residential subdivision with a waiver for increased wall height	Approved by BCC	October 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) (Mountains Edge)	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential

Related Applications

Application Number	Request
WS-21-0729	A waiver of development standards and design review for a single family residential development including reduced street width, hammerhead street design, and increased finished grade is a companion item on this agenda.
TM-21-500208	A tentative map for 8 single family residential lots 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

The modifications to the approved plans are negligible, and will not impact the surrounding properties. The change from the L-curb to R-curb does not change the intent of the condition, as the overall site plan is the same design as what was previously approved. Therefore, staff supports the waiver of condition of the zone change.

Public Works - Development Review

At the time of the original approval, R-curb was not an adopted improvement standard. Currently, private streets are permitted to be 37, 38, or 39 feet wide, depending on whether L-curb, R-curb, or roll curb is being used. All 3 street widths and their corresponding curb-type results in a Code compliant drivable width of 36 feet. The request to waive the condition to allow a different curb-type will have no impact to home buyers or emergency services. Therefore, staff can support this request.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: HORIZON WEST HOMES, LLC
CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH RD., SUITE E, LAS VEGAS,
NV 89128

DRAFT

LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATIONS)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (AR)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATIONS)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATIONS)</p>	<p>State</p> <p>Property Owner</p> <p>Applicant</p> <p>Agent</p>	<p>APP. NUMBER: <u>WCC21-400185</u> DATE FILED: <u>12/14/21</u></p> <p>PLANNER ASSIGNED: <u>JA</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>1/26/22</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>2/16/22</u></p> <p>FEE: _____</p> <hr/> <p>NAME: <u>Horizon West Homes, LLC</u></p> <p>ADDRESS: <u>8704 W. Charleston Blvd. #105</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u></p> <p>TELEPHONE: <u>702-885-5155</u> CELL: _____</p> <p>E-MAIL: <u>horizonwesthomes@gmail.com</u></p> <hr/> <p>NAME: <u>Shawn Shahryar, Horizon West Homes, LLC</u></p> <p>ADDRESS: <u>8704 W. Charleston Blvd. #105</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u></p> <p>TELEPHONE: <u>702-885-5155</u> CELL: _____</p> <p>E-MAIL: <u>shawn.shahryar@gmail.com</u> REF CONTACT ID #: _____</p> <hr/> <p>NAME: <u>Thomas L. Holums, PLS, WRS</u></p> <p>ADDRESS: <u>7310 Brooks Ranch Road, Suite E</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u></p> <p>TELEPHONE: <u>702-264-2200</u> CELL: <u>702-486-5529</u></p> <p>E-MAIL: <u>tholums@shysranching.com</u> REF CONTACT ID #: <u>194580</u></p>
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ASSESSOR'S PARCEL NUMBER(S): 175-20-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Gomer & Fort Apache

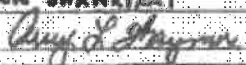
PROJECT DESCRIPTION: Horizon west unit 3

I, We) the undersigned owner and my (we) and the owner(s) of record on the Tax Rolls of the property involved in this application, or (we, we) otherwise qualified to initiate the application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and exhibits submitted hereto 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 hold any required signs on said property for the purpose of advising the public of the proposed application.


Shawn Shahryar
Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

INSTRUMENT AND SECTION BEFORE ME ON 29 APRIL 2021 (DATE)
 BY SHAWN SHAHRYAR

SOLELY PUBLIC: 

AMY L. WOLFORD
 Notary Public, State of Nevada
 Appointment No. 19-0368-01
 My Appl. Expires Oct 16, 2023

*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.

JUSTIFICATION LETTER

To: Clark County Planning
Date: December 13, 2021
Subject: Horizon West Homes – Gomer & Ft. Apache (APN 176-29-101-002)
(APR 21-100796)
From: Blayne Soule, P.E.

WC-21-400185

The owner of the Parcels 140-19-602-007 is seeking a Land Use Design Review for a proposed, single family, residential subdivision of 8 new homes on a 1.06-acre parcel on the corner of Gomer & Ft. Apache, which is within an area currently zoned as R-2. For this proposed subdivision, we are requesting a Land Use design review that includes the following:

Waiver of Conditions (WC)

- Waiver of Conditions (WC) for revision to the 2017 plans that were included in the original approved design review ZC-0659-17 dated 10/17/2017.
- Waiver of Conditions (WC) to include a 24" Residential Type R-Curb and Gutter (per CCAUSD 217.3.S1) that is different from the original approved curb and gutter, shown in design review ZC-0659-17 dated 10/17/2017.
Justification: The predominant curb style of the existing surrounding neighborhoods has R-Type curb and gutters; therefore, we are using the R-Type curb and gutter for this reason and because the 24" Residential Type R-Curb and Gutter (CCAUSD 217.3.S1) is the approved version for new construction on residential subdivision streets.
- Waiver of Conditions (WC) for street width to be 1' wider width than was previously approved under the original design review ZC-0659-17 dated 10/17/2017.
Justification: In the approved 2017 plan for ZC-0659-17, the streets were approved for 37' wide. We are now asking for 38' wide streets, which is 1' wider than the original approved design review. This additional 1' is so the street width can meet the minimum roadway width of 38', when using R-Type curb and gutters (section 30.52.030). This 38' street width is in harmony with the surrounding community street widths, which widths are about 37'. The 38' street width is also in concurrence with CC Dev Code 30.52.030(b)1.

Design Review (DR)

- Design Review (DR) for a proposed single family Residential Development.
Justification: A residential development is consistent with the surrounding community, as the surrounding community, which is currently zoned R-2.
- Design Review (DR) to allow a hammerhead terminus at the end of the private street.
Justification: A hammerhead design is crucial to this site because it is an "in-fill" lot, and as such, requires designs that make such sites buildable and useable. A hammerhead design will allow "in-fill" site to be buildable and useable for a future residential neighborhood. This is because a hammerhead will allow home lots, that are located toward the terminus, to have adequate space and regularly shaped lots. In addition, the hammerhead design conforms to the existing surrounding community. This is because the surrounding neighborhoods are predominately hammerhead designs, or in some cases, dead end streets.
- Design Review (DR) to allow for an increase in finish grade (up to 3.4' feet), where 1.5 feet is the standard.
Justification: (see Grading Justification section, that is on the next page).

Waiver of Development Standard (WS)

- Waiver of Development Standard (WS) for a 38' wide street leading to a hammerhead, as opposed to a 41' wide street leading to a hammer head as found in the standard drawing 212.1.S1 (a 38' street width is required with a 24" R-type curb, per the tentative map checklist).

Justification: A 37' wide street going into the hammerhead was approved back in 2017 (ZC-0659-17) and have since revised the current design to be an additional foot wide (from 37' to 38' wide). In addition, this 38' street width is in harmony with the surrounding community street widths, which widths are about 37'. The 38' street width is also in concurrence with CC Dev Code 30.52.030(b)1.

Grading Justification:

The on-site fill will be more than 18 inches due to site grading requirements. Maximum fill will be 3.4 feet (see section D on sheet #4). As such, a Design Review is required per Title 30.32.040.a.9. Dwyer Engineering spoke to Layne Webber at Clark County about drainage requirements for this project. Mr. Webber indicated the site needs to drain to the Southeast corner of the project site per previously approved drainage studies in the area. Mr. Webber also indicated that the private street (Garden Trail Court) coming into the site needs to be humped to keep water in Gomer Road. Due to these drainage requirements, fill of more than 18" will be required to flood protect the new houses and per minimum drainage design requirements. There are existing residential developments and existing houses on the west side and the east side of the proposed development. The existing Finished Floors on the west side vary from 2847.61 to 2846.27. The existing Finished Floors on the east side of the proposed development vary from 2939.25 to 2837.18. The difference in Finished Floor elevations from the existing west development to the existing east development is about 10 feet. See sections E, F, G and H on sheet #5 for proposed sections between the existing developments. The proposed Finished Floors for the proposed development were set with the required minimum of a 1% flowline slope on each of the lots. The four (4) west lots are "A" type drainage and drain into the private street (Garden Trail Court). The four (4) east lots are "B" type split lot drainage and half the lot drains into the private street (Garden Trail Court) and the other half of the lot drains to the back of the lot into a private drainage privately maintained. The reason for the "B" type drainage on the four (4) east lots is to put the Finished Floors of the proposed lots as low as possible and minimize the required fill.

Please also note:

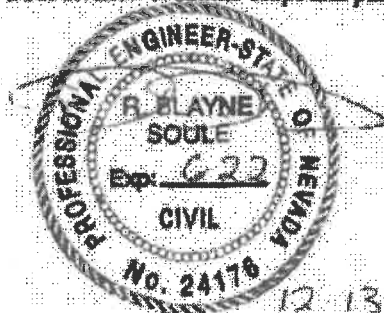
- There will be two (2) models that will both be two-story homes. The buyers will choose from either of these models, and their locations will be staggered (with some input by the buyers). Each of these styles are designed to not exceed a height of 25'-8".
- There will not be any proposed retaining walls. All walls along the perimeter of the project are Existing. The existing combination of retaining wall/screen wall along the east and south property lines is 8'.
- We do currently have a vacation application (VS) already under review for an Access/Utility easement, which is submittal 21-101302.
- We understand that the Tentative Map (TM) needs to be submitted through Accels at the same time as the Land Use Design Review (DR), therefore a Tentative Map Hold letter will be included with this Justification letter.

In conclusion, the proposed subdivision is currently surrounded by subdivisions with the same R-2 zoning and, therefore, will be a welcomed addition to the neighborhood as it will develop a vacant lot with a subdivision of similar scope and purpose.

Thank you.

R. Blayne Soule
Dwyer Engineering.

L.C. & Ft. Apache



02/16/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

GOMER RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0729-HORIZON WEST HOMES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce street width.

DESIGN REVIEWS for the following: 1) finished grade; 2) hammerhead street design; and 3) single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/jo (For possible action)

RELATED INFORMATION:

APN:

176-29-101-002

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the width of a private street leading to a hammerhead to 38 feet where 41 feet is the minimum per Uniform Standard Drawing 212 (a 7% reduction).

DESIGN REVIEWS:

1. Increase the finished grade to 41 inches where 36 inches is the standard per Section 30.32.040 (a 14% increase).
2. Allow a private street to terminate in a hammerhead design where a radius cul-de-sac per Uniform Standard Drawing 212.1 is preferred per Section 30.56.080.
3. Single family residential development.

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Number of Lots: 8
- Density (du/ac): 7.5
- Minimum/Maximum Lot Size (square feet): 3,609/5,327

- Project Type: Single family development
- Number of Stories: 2
- Building Height: 25 feet, 8 inches
- Square Feet: 2,291 to 2,523

History

In October of 2017, ZC-0659-17 was approved for R-2 zoning for an 8 lot single family residential development. While waiver of development standards for reduced front yard setbacks, reduced private street width, and modified street standards were requested, the requests were subsequently withdrawn. The design review was approved subject to the plans dated October 17, 2017. The applicant now proposes a new design for the subdivision and due to the previous condition, there is a companion item to waive the condition to develop per the previous plan.

Site Plans

The plans depict an 8 lot single family residential development. The lots are accessed from a 38 foot wide private street which runs north/south beginning at the intersection with Gomer Road and extends south, terminating in a hammerhead cul-de-sac. Four lots are located on both the east and west sides of the street. The plans show an R-curb and gutter, and sidewalks are not provided on either side of the street. Two common lots are located on the northern portion of the development, along Gomer Road, 1 on each side of the private street. A 23.5 foot Nevada Energy easement runs along the south property line of the development. The buildings are oriented east to west, and will meet setbacks per Chapter 30.40, with decorative pavers for the driveways.

Landscaping

Fifteen foot wide landscaped common lots are located behind an attached sidewalk along Gomer Road. The attached sidewalks are consistent with the attached sidewalks adjacent to the development. The landscape areas consist of trees, shrubs, and groundcover. The Bottletree and Raywood Ash are not recommended trees per the SNWA/SNRPC Regional Plant list; therefore, the applicant will revise the trees to comply with the list. The plans indicate there is no longer a need for increased wall height.

Elevations

Two models are shown for the development and each model has 2 elevation options. The buildings are 2 story, 25 feet 8 inches in height with a concrete tile roof. The exterior elevations consist of stucco with a stone veneer option.

Floor Plan

One model is 2,291 square feet and the other is 2,523 square feet. Both models provide the standard residential elements including, kitchen, family room, and bedrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates a reduced street width of 37 feet was approved via ZC-0659-17 and the current proposal is 1 foot wider than previously approved. The hammerhead design is crucial for this site since it is an in-fill development and it will allow the lots on the terminus to have adequate space and a regularly shaped lot. The increase in grade is required due to drainage requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0659-17	Reclassified to R-2 zoning for an 8 lot residential subdivision with a waiver for increased wall height	Approved by BCC	October 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) (Mountains Edge)	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential

Related Applications

Application Number	Request
WC-21-400185 (ZC-0659-17)	A request to waive the condition requiring the development to comply with the approved plans is a companion item on this agenda.
TM-21-500208	A tentative map for 8 single family residential lots is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Design Reviews #2 & #3

The design of the elevations of the homes provides varied architectural elements and meets the required setbacks. While the hammerhead street design is not preferred for traffic circulation for emergency response, the hammerhead design has been previously approved. Therefore, staff recommends approval of these design reviews.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduced width of the private street. A 38 foot wide street section with R-curb is permitted for private streets that are not hammerheads or cul-de-sacs. Staff finds that an additional 3 feet of width to make the street 41 feet wide will not provide any benefit for the subdivision.

Design Review #1

This design review represents the maximum grade difference within 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.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

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

- 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HORIZON WEST HOMES, LLC

**CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH RD., SUITE E, LAS VEGAS,
NV 89128**

DRAFT

LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> AMMENDATION REQUEST (AR)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="font-size: 0.8em;">(ORIGINAL APPLICATION #)</p>	<p>State</p> <p>City</p> <p>County</p>	<p>APP. NUMBER: <u>WS-21-079</u> DATE FILED: <u>12/16/21</u></p> <p>PLANNER ASSIGNED: <u>LP</u></p> <p>TABICAC: <u>ENTERPRISE</u> TABICAC DATE: <u>12/26/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>2/16/22</u></p> <p>FEE: <u>\$1,150</u></p> <hr/> <p>NAME: <u>Horizon West Homes, LLC</u></p> <p>ADDRESS: <u>5704 W. Charleston Blvd. #105</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u></p> <p>TELEPHONE: <u>702-888-5133</u> CELL: _____</p> <p>E-MAIL: <u>horizonwesthomes@gmail.com</u></p> <hr/> <p>NAME: <u>Shawn Shahryar, Horizon West Homes, LLC</u></p> <p>ADDRESS: <u>5704 W. Charleston Blvd. #105</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u></p> <p>TELEPHONE: <u>702-888-5133</u> CELL: _____</p> <p>E-MAIL: <u>shawn.shahryar@gmail.com</u> REF CONTACT ID #: _____</p> <hr/> <p>NAME: <u>Thomas L. Helums, PLS, WR6</u></p> <p>ADDRESS: <u>7310 Smoke Ranch Road, Suite E</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u></p> <p>TELEPHONE: <u>702-254-2200</u> CELL: <u>702-496-5520</u></p> <p>E-MAIL: <u>thelums@dwysrengineering.com</u> REF CONTACT ID #: <u>194580</u></p>
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ASSESSOR'S PARCEL NUMBER(S): 176-28-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Gomer & Fort Apache

PROJECT DESCRIPTION: Horizon West Unit 1

I, the undersigned owner and my first (if any, the owner's) of record on the Tax Rolls of the property involved in this application, or (are, are) otherwise qualified to file 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 to 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, the undersigned, also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to take any required signs on said property for the purpose of advising the public of the proposed application.

<p><i>[Signature]</i></p> <p>Property Owner (Signature)</p>	<p>Shawn Shahryar</p> <p>Property Owner (Print)</p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="font-size: 0.8em;">AMY L. WYKANE</p> <p style="font-size: 0.7em;">Notary Public, State of Nevada</p> <p style="font-size: 0.7em;">Appointment No. 19-3344-01</p> <p style="font-size: 0.7em;">My Term Expires Oct 16, 2023</p> </div>
<p>STATE OF <u>NEVADA</u></p> <p>COUNTY OF <u>CLARK</u></p> <p>RECORDED AND RETURNED TO ME ON <u>29 APRIL 2021</u> (DATE)</p> <p>BY <u>SHAWN SHAHRYAR</u></p> <p>NOTARY PUBLIC: <i>[Signature]</i></p>		

*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.

JUSTIFICATION LETTER

To: Clark County Planning

Date: December 13, 2021

Subject: Horizon West Homes – Gomer & Ft. Apache (APN 176-29-101-002)
(APR 21-100796)

From: Blayne Soule', P.E.

WS-21-0729

The owner of the Parcels 140-19-602-007 is seeking a Land Use Design Review for a proposed, single family, residential subdivision of 8 new homes on a 1.06-acre parcel on the corner of Gomer & Ft. Apache, which is within an area currently zoned as R-2. For this proposed subdivision, we are requesting a Land Use design review that includes the following:

Waiver of Conditions (WC)

- Waiver of Conditions (WC) for revision to the 2017 plans that were included in the original approved design review ZC-0659-17 dated 10/17/2017.
- Waiver of Conditions (WC) to include a 24" Residential Type R-Curb and Gutter (per CCAUSD 217.3.S1) that is different from the original approved curb and gutter, shown in design review ZC-0659-17 dated 10/17/2017.
Justification: The predominant curb style of the existing surrounding neighborhoods has R-Type curb and gutters; therefore, we are using the R-Type curb and gutter for this reason and because the 24" Residential Type R-Curb and Gutter (CCAUSD 217.3.S1) is the approved version for new construction on residential subdivision streets.
- Waiver of Conditions (WC) for street width to be 1' wider width than was previously approved under the original design review ZC-0659-17 dated 10/17/2017.
Justification: In the approved 2017 plan for ZC-0659-17, the streets were approved for 37' wide. We are now asking for 38' wide streets, which is 1' wider than the original approved design review. This additional 1' is so the street width can meet the minimum roadway width of 38', when using R-Type curb and gutters (section 30.52.030). This 38' street width is in harmony with the surrounding community street widths, which widths are about 37'. The 38' street width is also in concurrence with CC Dev Code 30.52.030(b)1.

Design Review (DR)

- Design Review (DR) for a proposed single family Residential Development.
Justification: A residential development is consistent with the surrounding community, as the surrounding community, which is currently zoned R-2.
- Design Review (DR) to allow a hammerhead terminus at the end of the private street.
Justification: A hammerhead design is crucial to this site because it is an "in-fill" lot, and as such, requires designs that make such sites buildable and useable. A hammerhead design will allow "in-fill" site to be buildable and useable for a future residential neighborhood. This is because a hammerhead will allow home lots, that are located toward the terminus, to have adequate space and regularly shaped lots. In addition, the hammerhead design conforms to the existing surrounding community. This is because the surrounding neighborhoods are predominately hammerhead designs, or in some cases, dead end streets.
- Design Review (DR) to allow for an increase in finish grade (up to 3.4' feet), where 1.5 feet is the standard.
Justification: (see Grading Justification section, that is on the next page).

Pt.

Waiver of Development Standard (WS)

- Waiver of Development Standard (WS) for a 38' wide street leading to a hammerhead, as opposed to a 41' wide street leading to a hammer head as found in the standard drawing 212.1.S1 (a 38' street width is required with a 24" R-type curb, per the tentative map checklist).

Justification: A 37' wide street going into the hammerhead was approved back in 2017 (ZC-0659-17) and have since revised the current design to be an additional foot wide (from 37' to 38' wide). In addition, this 38' street width is in harmony with the surrounding community street widths, which widths are about 37'. The 38' street width is also in concurrence with CC Dev Code 30.52.030(b)1.

Grading Justification:

The on-site fill will be more than 18 inches due to site grading requirements. Maximum fill will be 3.4 feet (see section D on sheet #4). As such, a Design Review is required per Title 30.32.040.a.9. Dwyer Engineering spoke to Layne Webber at Clark County about drainage requirements for this project. Mr. Webber indicated the site needs to drain to the Southeast corner of the project site per previously approved drainage studies in the area. Mr. Webber also indicated that the private street (Garden Trail Court) coming into the site needs to be humped to keep water in Gomer Road. Due to these drainage requirements, fill of more than 18" will be required to flood protect the new houses and per minimum drainage design requirements. There are existing residential developments and existing houses on the west side and the east side of the proposed development. The existing Finished Floors on the west side vary from 2847.61 to 2846.27. The existing Finished Floors on the east side of the proposed development vary from 2939.25 to 2837.18. The difference in Finished Floor elevations from the existing west development to the existing east development is about 10 feet. See sections E, F, G and H on sheet #5 for proposed sections between the existing developments. The proposed Finished Floors for the proposed development were set with the required minimum of a 1% flowline slope on each of the lots. The four (4) west lots are "A" type drainage and drain into the private street (Garden Trail Court). The four (4) east lots are "B" type split lot drainage and half the lot drains into the private street (Garden Trail Court) and the other half of the lot drains to the back of the lot into a private drainage privately maintained. The reason for the "B" type drainage on the four (4) east lots is to put the Finished Floors of the proposed lots as low as possible and minimize the required fill.

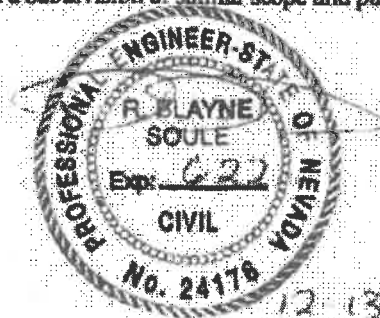
Please also note:

- There will be two (2) models that will both be two-story homes. The buyers will choose from either of these models, and their locations will be staggered (with some input by the buyers). Each of these styles are designed to not exceed a height of 25'-8".
- There will not be any proposed retaining walls. All walls along the perimeter of the project are Existing. The existing combination of retaining wall/screen wall along the east and south property lines is 8'.
- We do currently have a vacation application (VS) already under review for an Access/Utility easement, which is submittal 21-101302.
- We understand that the Tentative Map (TM) needs to be submitted through Accela at the same time as the Land Use Design Review (DR), therefore a Tentative Map Hold letter will be included with this Justification letter.

In conclusion, the proposed subdivision is currently surrounded by subdivisions with the same R-2 zoning and, therefore, will be a welcomed addition to the neighborhood as it will develop a vacant lot with a subdivision of similar scope and purpose.

Thank you.

R. Blayne Soule
Dwyer Engineering.



EEC & FL Apache

HORIZON WEST UNIT 1
(TITLE 30)

GOMER RD/FORT APACHE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-21-500208-HORIZON WEST HOMES, LLC:

TENTATIVE MAP consisting of 8 single family residential lots and common lots on 1.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Gomer Road, 620 feet east of Fort Apache Road within Enterprise. JJ/jad/jo (For possible action)

RELATED INFORMATION:

APN:

176-29-101-002

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Number of Lots: 8
- Density (du/ac): 7.5
- Minimum/Maximum Lot Size (square feet): 3,609/5,327
- Project Type: Single family development

The plans depict an 8 lot single family residential development. The lots are accessed from a 38 foot wide private street which runs north/south beginning at the intersection with Gomer Road and extends south, terminating in a hammerhead cul-de-sac. Four lots are located on both the east and west sides of the street. The plans show a R-curb and gutter, and sidewalks are not provided on either side of the street. Two common lots are located on the northern portion of the development, along Gomer Road, 1 on each side of the private street. A 23.5 foot Nevada Energy easement runs along the south property line of the development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0659-17	Reclassified to R-2 zoning for an 8 lot residential subdivision with a waiver for increased wall height	Approved by BCC	October 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) (Mountains Edge)	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential

Related Applications

Application Number	Request
WS-21-0729	A waiver of development standards and design review for a single family residential development including reduced street width, hammerhead street design, and increased finished grade is a companion item on this agenda.
WC-21-400185 (ZC-0659-17)	A request to waive the condition requiring the development to comply with the approved plans 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.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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;

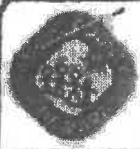
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring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

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 and reference POC Tracking #0201-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: HORIZON WEST HOMES, LLC
CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH RD., SUITE E, LAS VEGAS,
NV 89128**



TENTATIVE MAP APPLICATION 8A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500208</u>	DATE FILED: <u>12/16/21</u>
<input checked="" type="radio"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>LD</u>	TAB/CAC DATE: <u>1/20/22</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>2/16/21</u>	
		FEE: <u>\$750</u>	

PROPERTY OWNER	NAME: <u>Horizon West Homes LLC</u>
	ADDRESS: <u>3704 W. Charleston Blvd #105</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702-686-5133</u> CELL: _____
	E-MAIL: <u>horizonwesthomes@gmail.com</u>

APPLICANT	NAME: <u>Shawn Shahryari, Horizon West Homes LLC</u>
	ADDRESS: <u>3704 W. Charleston Blvd #105</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702-686-5133</u> CELL: _____
	E-MAIL: <u>shawn-shahryari@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Thomas L. Hellams, PLS, WRS</u>
	ADDRESS: <u>7310 Smoke Ranch Rd # E</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>
	TELEPHONE: <u>702-254-2200</u> CELL: <u>702-406-5529</u>
	E-MAIL: <u>thellams@diyeventmeetings.com</u> REF CONTACT ID #: <u>1492580</u>

ASSESSOR'S PARCEL NUMBER(S): 176-29-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Gomer / Ft. Apache

TENTATIVE MAP NAME: Horizon West Unit 1

I, We) the undersigned sever 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.

<p><u>[Signature]</u> Property Owner (Signature)</p> <p>STATE OF <u>NEVADA</u> COUNTY OF <u>CLARK</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>4-29-2021</u> (DATE) By <u>SHAWN SHAHRYARI</u></p> <p>NOTARY PUBLIC: <u>[Signature]</u></p>	<p style="text-align: center;"><u>Horizon West Homes LLC</u> Property Owner (Print) <u>SHAWN H. SHAHRYARI</u></p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> AMY L. WAYMIRE Notary Public, State of Nevada Appointment No. 19-5168-01 My Appt. Expires Oct 16, 2023 </div>
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*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required for applicant and/or property owner if a corporation, partnership, trust, or provides signature in a representative capacity.

