



ENTERPRISE TOWN ADVISORY BOARD

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

February 23, 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 February 9, 2022. (For possible action)
- IV. Approval of the Agenda for February 23, 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. **ET-22-400001 (VS-0813-17)-CEO DEVELOPMENT, LLC:**
VACATE AND ABANDON SECOND EXTENSION OF TIME of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Gilespie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/jvm/jo (For possible action) **03/02/22 BCC**
 - 2. **NZC-22-0028-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 4.9 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce open space.
DESIGN REVIEWS for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise (description on file). JJ/al/jo (For possible action) **03/15/22 PC**
 - 3. **VS-22-0029-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Oleta Avenue and between Conquistador Street and Hualapai Way within Enterprise (description on file). JJ/al/jo (For possible action) **03/15/22 PC**
 - 4. **TM-22-500016-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
TENTATIVE MAP consisting of 43 single family residential lots and common lots on 4.9 acres in an RUD (Residential Urban Density) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/al/jo (For possible action) **03/15/22 PC**

5. **NZC-22-0042-STIMSON CHRISTOPHER J & A FAM TR & STIMSON CHRISTOPHER & ARALEE TRS:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for senior housing.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** increase building height; **3)** reduce the height/setback ratio requirement adjacent to a single family residential use; and **4)** alternative landscaping adjacent to a residential use.
DESIGN REVIEWS for the following: **1)** senior housing (multiple family development); **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the west side of Buffalo Drive and the south side of Cactus Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action) **03/15/22 PC**

6. **VS-22-0043-STIMSON CHRISTOPHER J & A FAM TR & STIMSON CHRISTOPHER & ARALEE TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Cactus Avenue (alignment) and Erie Avenue (alignment), and between Buffalo Drive and Cimarron Road (alignment) within Enterprise (description on file). JJ/md/jo (For possible action) **03/15/22 PC**

7. **NZC-22-0045-RAINBOW EXPRESS, LLC:**
ZONE CHANGE to reclassify 14.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.**USE PERMITS** for the following: **1)** vehicle rental; and **2)** vehicle sales
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** throat depth; **2)** driveway approach; **3)** driveway departure; and **4)** access to a local residential street.
DESIGN REVIEW for a vehicle rental and sales facility. Generally located on the west side of Rainbow Boulevard and the north side of Landberg Avenue within Enterprise (description on file). JJ/jvm/jo (For possible action) **03/15/22 PC**

8. **VS-22-0055-RAINBOW EXPRESS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street (alignment), and between Landberg Avenue and Gary Avenue (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action) **03/15/22 PC**

9. **VS-22-0073-DESTINY HOMES, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Pebble Road and Raven Avenue within Enterprise (description on file). JJ/bb/jo (For possible action) **03/15/22 PC**

10. **UC-22-0034-DESTINY HOMES, LLC:**
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate landscaping; **2)** trash enclosure setback; and **3)** alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** mini-warehouse; **2)** alternative landscaping; and **3)** lighting on 1.5 acres in a C-1 (Local Business) Zone. Generally located on the southeast corner of Pebble Road and Decatur Boulevard within Enterprise. JJ/sd/jo (For possible action) **03/15/22 PC**

11. **VS-22-0039-ARBY JONES 402 LLC & RAINS 1992 TRUST:**
VACATE AND ABANDON a portion of a right-of-way being Jones Boulevard located between Warm Springs Road and Arby Avenue within Enterprise (description on file). MN/al/jo (For possible action) **03/15/22 PC**

12. **WS-22-0038-ARBY JONES 402 LLC & RAINS 1992 TRUST:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** trash enclosure requirements; **2)** eliminate parking space striping within a secure parking area; **3)** eliminate parking lot landscaping within a secure parking area; and **4)** alternative landscape within a parking lot (overflow parking lot).
DESIGN REVIEW for a parking lot and secure parking area on a portion of 2.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Jones Boulevard, 625 feet north of Warm Springs Road within Enterprise. MN/al/jo (For possible action) **03/15/22 PC**

13. **WS-22-0035-SOUTHERN HILLS MEDICAL CENTER, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for increased wall sign area.
DESIGN REVIEW for a wall sign in conjunction with an emergency care facility on 3.7 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Las Vegas Boulevard South, 660 feet north of Erie Avenue within Enterprise. MN/sd/jo (For possible action) **03/15/22 PC**

14. **ET-22-400012 (VS-19-0889)-PN II, INC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Jones Boulevard and Cascadia Creek Street (alignment), and between Haleh Avenue (alignment) and Frias Avenue (alignment) and a portion of a right-of-way being Jones Boulevard located between Haleh Avenue (alignment) and Frias Avenue (alignment) within Enterprise (description on file). JJ/jgh/jo (For possible action) **03/16/22 BCC**

15. **WS-22-0036-TRACY INVESTMENTS, INC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce on-site parking; **2)** off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving along streets); and **3)** increase wall height.
DESIGN REVIEWS for the following: **1)** finished grade; and **2)** new community building in conjunction with a place of worship on 4.3 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet north of Robindale Road within Enterprise. MN/jgh/jo (For possible action) **03/16/22 BCC**

VII. General Business

1. None.

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/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: March 9, 2022.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
INSERT PRINCIPAL OFFICE OF PUBLIC BODY.
<https://notice.nv.gov>



Enterprise Town Advisory Board

February 9, 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.

Steven DeMerritt, 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.

- One citizen comment on the lack of notification for the commissioner meeting on Warm Springs Rd development.

III. Approval of Minutes for January 26, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for January 26, 2022.

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

IV. Approval of Agenda for February 9, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

Related applications to be heard together:

2. NZC-22-0001-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:
3. VS-22-0002-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:
4. TM-22-500001-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:

7. UC-22-0007-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:
8. VS-22-0008-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:
9. TM-22-500005-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:

10. UC-22-0012-BORISA ZEN CENTER, INC:
11. VS-22-0013-BORISA ZEN CENTER, INC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - NONE

VI. Planning & Zoning

1. **ET-22-400002 (VS-19-0884)-MIYAMORI SEIKO & ETSUKO:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Bermuda Road and Fairfield Avenue, and between Mesa Verde Lane and Santoli Avenue (alignment), and portion of a right-of-way being Bermuda Road located between Mesa Verde Lane and Santoli Avenue (alignment) within Enterprise (description on file). MN/md/jo (For possible action) **03/01/22 PC**

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

2. **NZC-22-0001-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:**
ZONE CHANGE to reclassify 9.3 acres from 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)** wall height; and **2)** full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the north side of Pebble Road, 570 feet west of Rosanna Street within Enterprise (description on file). JJ/rk/jo (For possible action) **03/01/22 PC**

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

3. **VS-22-0002-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Ford Avenue (alignment), and between Rosanna Street and Belcastro Street and portion of a right-of-way being Montessouri Street located between Pebble Road and Ford Avenue (alignment) within Enterprise (description on file). JJ/rk/jo (For possible action) **03/01/22 PC**

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

4. **TM-22-500001-MALIK Z LIVING TRUST & MALIK UMER ZAHID TRS:**
TENTATIVE MAP consisting of 30 single family residential lots and common lots on 9.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Pebble Road, 570 feet west of Rosanna Street within Enterprise. JJ/rk/jo (For possible action) **03/01/22 PC**

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

5. **UC-22-0014-GARNER DAWN JANNETTE & JOHN:**
USE PERMIT to allow a proposed accessory structure not architecturally compatible to the principal residence.
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback of a proposed accessory structure in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Ebberston Street and the north side of Greyjoy Street within Enterprise. MN/jor/jo (For possible action) **03/01/22 PC**

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

6. **ET-22-400001 (VS-0813-17)-CEO DEVELOPMENT, LLC:**
VACATE AND ABANDON SECOND EXTENSION OF TIME of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Giles pie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/jvm/jo (For possible action) **03/02/22 BCC**

Motion by David Chestnut
Action: **HOLD** to Enterprise TAB meeting on February 23, 2022, due to applicant no show
Motion **PASSED** (5-0) /Unanimous

7. **UC-22-0007-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:**
USE PERMIT for a single family residential subdivision.
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: 1) single family residential subdivision; and 2) finished grade on 2.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the northeast corner of Chieftain Street and Serene Avenue within Enterprise. JJ/jt/jo (For possible action) 03/02/22 BCC

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning Condition:

- Increase fenestrations on the elevations abutting public right-of-way

Per staff conditions.

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

8. **VS-22-0008-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Chieftain Street, and between Blue Diamond Road and Serene Avenue within Enterprise (description on file). JJ/jt/jo (For possible action) 03/02/22 BCC

Motion by David Chestnut

Action: **APPROVE** per staff conditions.

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

9. **TM-22-500005-CRUZ FAMILY TRUST & CRUZ LEONDINO G. & NARCISA T. TRS:**
TENTATIVE MAP consisting of 17 lots and common lots on 2.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the northeast corner of Chieftain Street and Serene Avenue within Enterprise. JJ/jt/jo (For possible action) 03/02/22 BCC

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

10. **UC-22-0012-BORISA ZEN CENTER, INC.:**
USE PERMITS for the following: 1) place of worship (meditation room); and 2) allow an existing carport to not be architecturally compatible to the main residence.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping adjacent to a less intensive use; 2) allow alternative landscaping adjacent to an arterial street; 3) allow alternative landscaping adjacent to a less intensive use; 4) eliminate trash enclosure; 5) reduce the gate setback; 6) allow modified driveway geometrics; and 7) waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEW for a place of worship (meditation room) in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Warm Springs Road, 150 feet west of Cameron Street within Enterprise. MN/jor/jo (For possible action) 03/02/22 BCC

X. Adjournment:

Motion by David Chestnut

Action: **ADJORN** meeting at 7:45 p.m.

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

DRAFT

Motion by David Chestnut

Action:

APPROVE: Use Permits

APPROVE: Waivers of Development Standards #s, 4, 6, 7;

DENY: Waivers of Development Standards #s 1, 2, 3, 5

DENY: Design review

ADD Current Planning Condition:

- Limited to one meeting per week not to exceed 15 people

Per staff if approved conditions

Motion **PASSED** (4-1) / Throneberry- Nay

11. **VS-22-0013-BORISA ZEN CENTER, INC.:**

VACATE AND ABANDON easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue (alignment) and between Cameron Street and Ullom Drive (alignment) within Enterprise (description on file). MN/jor/jo (For possible action) **03/02/22 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

Motion **PASSED** (4-1) / Throneberry- Nay

VII. General Business:

1. Discuss topics of concern in Enterprise to be prioritized for future meeting with Public Works. (For possible action)

The TAB will forward two topics to public works for discussion.

- Discuss using the RTC rural road designs for use in Enterprise Rural Estates areas.
- Discuss how to improve the east/ west traffic flow.

The TAB will request updates on selected projects in Enterprise by email correspondence.

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.

- A citizen was seeking more information on the proposed Warm Springs Rd development.

IX. Next Meeting Date

The next regular meeting will be February 23, 2022 at 6:00 p.m.

03/02/22 BCC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY SILVERADO RANCH BLVD/WALMER CASTLE LN
(TITLE 30)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400001 (VS-0813-17)-CEO DEVELOPMENT, LLC:

VACATE AND ABANDON SECOND EXTENSION OF TIME of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Giles pie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/jvm/jo (For possible action)

RELATED INFORMATION:

APN:
177-28-501-002; 177-28-501-004

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The approved plans depict the vacation and abandonment of 3 foot to 33 foot wide easements along most property lines of the 2 parcels that comprise the project development site. Additionally, the approved application includes a request to vacate and abandon 25.5 foot and 30 foot wide half street sections with associated spandrels of Walmer Castle Lane located south of Silverado Ranch Boulevard and including the portion of the cul-de-sac at the terminus of the street.

Previous Conditions of Approval

Listed below are the approved conditions for ET-19-400157 (VS-0813-17):

Current Planning

- Until November 21, 2021 to record;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that re-approval by the utility companies will be required.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for VS-0813-17:

Current Planning

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

Public Works – Development Review

- Applicant to execute a maintenance access easement through site to the adjacent drainage channel;
- 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 eastern portion of the vacated area of Walmer Castle Lane will become part of the adjacent lots in the Oaks Unit 1 and Oaks Unit 1 Amended subdivisions; that in order to purchase those areas from any of the adjacent owners a new tentative map must be approved; and that a final map must be recorded showing the new boundaries for all of the lots included in the land sale.

Building/Fire Prevention

- Applicant is advised that when installing streets using “L” type curbs, a minimum of 37 feet wide is required, back of curb to back of curb; if using rolled curbs, minimum 39 foot widths are required, from back of curb to back of curb are required.

Applicant’s Justification

The applicant indicates that they have used their best efforts to proceed forward diligently; however, additional time is needed in order to record this vacation.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400158 (ZC-0812-17)	Extension of time for a PUD	Withdrawn	N/A
ET-19-400157 (VS-0813-17)	Extension of time to vacate easements and right-of-way	Approved by BCC	February 2020
ZC-0812-17	Reclassified to RUD zoning for a planned unit development for triplex and townhouse residences	Approved by BCC	November 2017
VS-0813-17	Vacated easements & right-of-way at Walmer Castle Lane and Silverado Ranch Boulevard	Approved by BCC	November 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-4	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Single family residential
South & West	Neighborhood Commercial	C-P	Office complex

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.

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 November 21, 2023 to record.
- 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 re-approval by the utility companies will be required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: AMY SUGDEN

CONTACT: AMY SUGDEN, SUGDEN LAW, 9728 GILESPIE STREET, LAS VEGAS, NV
89183

DRAFT



LAND USE APPLICATION 1A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (VS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) VS-0813-17 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>1-6-2022</u> PLANNER ASSIGNED: <u>EBB</u> ACCEPTED BY: <u>EBB</u> FEE: <u>300</u> CHECK #: COMMISSIONER: <u>MN</u> OVERLAY(S): PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY:	APP. NUMBER: <u>ET-22-400001</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>2-9</u> TIME: <u>6pm</u> PC MEETING DATE: BCC MEETING DATE: <u>3-2-2022</u> ZONE / AE / RNP: <u>R4D</u> PLANNED LAND USE: <u>MN</u> NOTIFICATION RADIUS: <u>—</u> SIGN? <u>Y/N</u> LETTER DUE DATE: COMMENCE/COMPLETE:
PROPERTY OWNER	NAME: <u>CEO Development, LLC</u> ADDRESS: <u>9728 Gillespie Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.307.1500</u> FAX: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>		
APPLICANT	NAME: <u>CEO Development LLC</u> ADDRESS: <u>9728 Gillespie Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>N/A</u> FAX: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>		
COMMISSIONER	NAME: <u>Amy Sugden - Sugden Law</u> ADDRESS: <u>9728 Gillespie Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.625.3605</u> FAX: CELL: <u>314.283.9847</u> E-MAIL: <u>amy@sugdenlaw.com</u>		

ASSESSOR'S PARCEL NUMBER(S): 177-28-501-002 and 004

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch Blvd and Walmer Castle Lane

PROJECT DESCRIPTION: Vacation Application

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 the 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 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 may be conducted. I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature): [Signature] Property Owner (Print): CEO Development LLC

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1-5-22 DATE

at Las Vegas, NV

NOTARY PUBLIC: [Signature]

MELANIE BLUMELL
 NOTARY PUBLIC
 STATE OF NEVADA
 APPT NO. 99-58219-1
 BY APPT. EXPIRES SEPTEMBER 17, 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.

**SUGDEN
LAW**

November 18, 2021

ET-22-400001

**PLANNER
COPY**

Clark County Department of Comprehensive Planning
Attn: Al Laird, Principal Planner
500 S. Grand Central Parkway, 1st Floor
Las Vegas, NV 89106

RE: CEO Development LLC – Justification Letter for Extension of Time

Mr. Laird,

This correspondence is sent in support of CEO Development LLC (“CEO”)’s application for extension of time related to property situated at the southwest corner of Silverado Ranch Boulevard and Walmer Castle Lane (“Subject Property”).

CEO previously applied for and received approval from the Clark County Board of County Commissioners (“County”) for a vacation of rights-of-way and patent easement, identified by VS-0813-17 (“Application”).

On or about December 1, 2017, the County issued a Notice of Final Action approving the Application with specified conditions. Subsequently, in March 2020, CEO obtained an extension to the Application. Unfortunately, that extension was obtained right on brink of COVID-19 and no one was ready for the grave impacts the pandemic would have economically, financially, socially, etc.

Thus, while CEO has used its best efforts to proceed forward diligently with its project based on the County’s approvals of its Application, CEO is respectfully requesting another extension of time as it has not yet completed the recordation of the vacation and needs additional time to do so and move forward with construction on the site.

9728 Gillespie Street, Las Vegas, NV 89183

702.307.1500 / 314.283.9847

amy@sugdenlaw.com

03/15/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT OLETA AVE/CONQUISTADOR ST
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0028-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

ZONE CHANGE to reclassify 4.9 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce open space.

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

Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-19-201-004; 176-19-201-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear yard setback for portions of the proposed development to 13 feet where 15 feet is required per Table 30.40-2 (a 13.3% reduction).
2. Reduce the required open space to 650 square feet where a minimum of 8,600 square feet is required per Table 30.40-2 (a 92.4% reduction).

DESIGN REVIEWS:

1. A detached single family residential development.
2. Increase finished grade to 51 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 41.7% increase).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.9
- Number of Lots: 43 residential/ 2 common elements
- Density (du/ac): 8.8

- Minimum/Maximum Lot Size (square feet): 3,323/5,301
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 2,150 to 2,300
- Open Space Required/Provided: 8,600/650

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 4.9 acres from an R-E zone and H-2 zone to an RUD zone for a single family residential development. The applicant conducted a neighborhood meeting at the Windmill Library, located at 7060 West Windmill Lane, on October 18, 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 4 neighbors attended the meeting. No concerns were expressed by the neighbors for this project.

Site Plans

The plans depict a single family residential development consisting of 43 lots with a density of 8.8 dwelling units per acre. The site has frontage along Oleta Avenue on the south side of the site and Conquistador Street along the east side. The plans show 7 lots will get access from Oleta Avenue and 8 lots from Conquistador Street. The remaining 28 lots will take access from 2 proposed public streets which will intersect with Oleta Avenue and terminate in cul-de-sacs. The proposed public streets within the development will be 48 feet wide with 5 foot wide sidewalks on each side of the streets. The plans depict 2 common element lots that are located at the northern end of the proposed cul-de-sacs within the development. These common elements will be a total of 650 square feet and will be used for drainage and utility easements. The proposed rear yard setback reduction is for 8 lots on the southern portion of the site located along Oleta Avenue (Lot 15 through Lot 21 & Lot 35). The request to increase finished grade is mainly for the northern and eastern portions of the site.

Landscaping

A landscape plan was not submitted for the proposed development. The development is designed in a way that does not require any additional landscaping per Section 30.64 along the streets, and landscaping is not required along the boundaries of the adjacent developments. The future homeowners will be responsible to provide and maintain landscaping within their properties.

Elevations

The plans depict 3 home models that are all 2 stories with a maximum building height of approximately 26 feet. All of the homes have pitched roofs with concrete tile roofing materials. The exterior of the homes will consist of combinations of a stucco finish painted in earth tone colors, stone veneer, various window treatments, and architectural enhancements.

Floor Plans

The proposed homes will be between 2,150 square feet to 2,300 square feet in area. Each home will have 3 to 4 bedrooms and a 2 car garage.

Applicant's Justification

The applicant indicates that the proposed development is compatible to other existing and planned land uses in the surrounding area. The lot sizes and home sizes are similar in area to the abutting developments. The increase in finished grade is needed to balance out the site and provide proper drainage. The request for the reduced rear yard setback is only for a portion of the site due to a drainage easement that bisects the property. Open space within the proposed development is not necessary because the lots are larger than required for the RUD zoning district and each lot will provide ample open space on-site.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
VS-22-0029	A request to vacate and abandon easements is a companion item on this agenda.
TM-22-500016	Tentative map for a 43 log 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

Current Planning

Zone Change

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

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

The applicant states that there has been a trend for conforming and nonconforming zone changes for similar density in the area. There are residential developments under construction

surrounding this site, and an existing single family residential development to the southeast that are all zoned R-2 with densities of 8 dwelling units per acre or less. Therefore, a project with more than 8 dwelling units per acres is not following the trend for this area. The Master Plan for the County was adopted in November 2021, designating this site Mid-Intensity Suburban Neighborhood (up to 8 du/ac), so a project with more than 8 dwelling units per acres is not following recent change in policy and there has been no change in law to support the proposed increase in density; therefore, staff finds the propose nonconforming zone boundary amendment is not appropriate for the area.

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

The applicant states that the proposed lots and homes are similar in size to other residential developments in the area, which is true. However, the other developments in the area have densities of 8 dwelling units per acre or less. Even though the project is providing lots and homes of similar sizes to the adjacent residential development, the proposed project is still of greater density and intensity than the adjacent developments. Staff finds the proposed increase in density is not compatible with the existing developments in the area.

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

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 17 students for the schools that serve this area (7 elementary students, 4 middle school students, and 6 high school students). The School District also indicates that 1 school that would serve this area (Sierra Vista High School) is over capacity with current enrollment. The increase in density for the proposed residential development will create an increased demand for parks within the area. The RUD zoning district requires additional open space, which can be used for recreation area; however, the applicant is requesting to reduce required open space. The applicant is stating that the proposed larger lots will provide ample open space on-site for the residents of the development. However, the applicant is also requesting to reduce the rear yard setback for several lots within the proposed development, which is contrary to the statement that the larger lots will provide more on-site open space. Additionally, there have been several R-2 zoned residential developments in the Enterprise area approved by nonconforming zone change applications where the developers of those projects have provided open space for landscape areas and neighborhood parks. The R-2 zoning district does not require open space and the developers added the open space as an extra amenity for residents, as opposed to this request where open space is required but the developer is stating the larger lots, which are comparable in size to the R-2 zone, will provide enough open space for the site.

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

The proposed development does comply with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities.

Summary

Zone Change

Staff finds that there have 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. There has been no indication that the project will have an adverse effect on public facilities and services from service providers; however, the project will add to overcrowding at Sierra Vista High School and cause an increase demand for parks/recreational facilities in the area. The project does comply with other applicable adopted plans and goals; therefore, staff finds the applicant has not satisfied all criteria to provide 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

The applicant states that the proposed rear yard setback reduction is needed for Lot 15 through Lot 21 and Lot 35. The applicant states the setback reduction is necessary due to a drainage easement that bisects the property and only for home models with the largest floor plan of all the home models proposed for the development. The lots in question are similar in size to other lots within the development, where no setback reductions are being requested. Based on the applicant's statements there are other home models that will fit on the subject lots without requiring a setback reduction. The plans submitted do not depict special or unique circumstance to warrant a reduction in the rear yard setback; therefore, staff does not support this request.

Waiver of Development Standards #2

The applicant is eliminating open space for the project indicating that the proposed lots are larger than required for the RUD zoning district so there will be ample space within the lots to be used as open space. There are residential developments in the Enterprise area in R-2 zoning districts that have provided open space for neighborhood parks and landscape areas where the zoning district does not require open space. Several of these developments have been approved by nonconforming zone change applications and the open space is provided as an amenity for the residents. These open spaces have also been provided by the developers as an incentive for the Board to allow the nonconforming zone changes by off-setting impacts on adjacent development, approving the appearance of the community, and providing recreational areas for residents of the development. The applicant is requesting a zone change to RUD to allow for a slight increase in

density for the project but is not mitigating the impacts of the project by providing required open space. Staff does not agree that by providing larger than required lots the development would have ample open space. Staff believes that it would be better to reduce the size of the lots to provide large usable open space for a private neighborhood park for future residences; or reduce the density of the project to 8 dwelling units per acre or less in an R-2 zone with larger lots.

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

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.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 20, 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.
- 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;
- Right-of-way dedication to include 30 feet for Oleta Avenue and associated spandrel.
- 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 #0302-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMH DEVELOPMENT

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 2A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="margin-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p style="margin-left: 20px;">Acc- 213rd & 2143rd</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) 475th</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR) 675th</p> <p style="margin-left: 20px;"><input type="checkbox"/> A PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>NZC-22-0020</u> DATE FILED: <u>1-19-22</u></p> <p>PLANNER ASSIGNED: <u>AI</u></p> <p>TAB/CAC: <u>Ent office</u> TAB/CAC DATE: <u>2-23</u></p> <p>PC MEETING DATE: <u>3-15</u></p> <p>BCC MEETING DATE: <u>4-20</u></p> <p>FEE: <u>\$3293⁰⁰</u></p>
PROPERTY OWNER	<p>NAME: <u>Roohani Khusrow Family Trust</u></p> <p>ADDRESS: <u>9500 Hillwood Drive, Suite 110</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>	
APPLICANT	<p>NAME: <u>AMH Development, LLC</u></p> <p>ADDRESS: <u>280 Pilot Road, Suite 110</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702.703.5295</u> CELL: _____</p> <p>E-MAIL: <u>mnicholson@ah4r.com</u> REF CONTACT ID #: _____</p>	
CONSPONSOR	<p>NAME: <u>Kemper Crowell - Joseph Doster</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u></p> <p>TELEPHONE: <u>702.792.7000</u> CELL: _____</p> <p>E-MAIL: <u>aprice@kemcrow.com</u> REF CONTACT ID #: _____</p>	

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-004 & 005

PROPERTY ADDRESS and/or CROSS STREETS: W Oleta Ave & S Conquistador St

PROJECT DESCRIPTION: A single family 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.

<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>July 27, 2021</u> (DATE) BY <u>Roohani Khusrow</u></p> <p>NOTARY PUBLIC: <u>Dorothy Grace Shoen</u></p>	<p><u>KHUSROW ROOHANI</u> Property Owner (Print)</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p><small>DOROTHY GRACE SHOEN NOTARY PUBLIC STATE OF NEVADA APPT. NO. 98-5387-1 MY APPT. EXPIRES DECEMBER 11, 2024</small></p> </div>
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*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.

APR-21-101359

KAMPTER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JOSEPH E. DAGHER

jdagher@kendaw.com
702.792.7000

November 16, 2021

VIA UPLOAD

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

*Re: Compelling Justification Letter – Nonconforming Zone Change
to RUD, Tentative Map, Design Review, Waiver of Development
Standards, and Vacation
APNs: 176-19-201-004 and 005.*

NZC 22 0028

Dear sir or madam:

Our office represents AMH Development, LLC (the "Applicant") in the above referenced matter. The proposed project is on approximately 4.86 acres located on the northeast corner of Oleta Avenue and Conquistador Street, bearing Clark County Assessor's Parcel Numbers 176-19-201-004 and 005 (the "Site"). The Applicant is proposing a nonconforming zone change from R-E and H-2 to RUD and design review (1) to develop a 43 lot single-family development; and (2) for a maximum grade fill of 33 inches above the allowable 18 inches. The Applicant is also requesting a waiver of development standards to reduce the rear setbacks from 15' to 13' for lots 15-21 and 35 for only the largest floor plan. Also included with this application is the corresponding tentative map and vacation.

NONCONFORMING ZONE CHANGE

The Site is zoned R-E and H-2. The Enterprise Land Use Plan designation on the Site is Residential Suburban ("RS"). Notwithstanding this designation, 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:

Since the adoption Enterprise Land Use Plan Map in October 2014, the County has also adopted, in April 2015, Urban Land Use Policies. A nonconforming zone change to RUD is appropriate because the surrounding area has developed out as R-2, which allows for 8 units per acre. There's been a trend for conforming and nonconforming zone changes for similar density in the area. Here, although the Applicant proposes 8.85 units/acre, a very modest increase from

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Fax: 775.327.2011

CARSON CITY OFFICE
610 West Fourth Street
Carson City, NV 89703
Tel: 775.854.8300
Fax: 775.882.0257

the allowable 8 du/acre in R-2, the Applicant has designed its project with similar sized lots and home sizes as the adjacent R-2 communities, therefore making the requested zone change appropriate and compatible.

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:

The Applicant's proposed density is 8.85 units/acre. This is compatible to other existing planned land uses in the surrounding area because the Applicant's project is consistent with similar sized lots and home sizes as the surrounding area. Directly west and north of the Site is a R-2 zoned property under ROI-0872-16. Directly east and south are two R-2 zoned communities that are in development. As such, there is no negative impact to the adjacent R-2 approved lots.

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. Water and sewer utilities are located near the Site and the Applicant will provide the necessary infrastructure connecting the existing utilities to the Site. There will be no substantial adverse effect to the schools and fire services and police services similarly will not be substantially affected by the development of the Site. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

Pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Single Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- **Policies 4 and 7** encourage preserving existing residential neighborhoods by encouraging vacant lots to develop as similar densities as the existing area. Here, the Applicant is proposing similar density and lot sizes of the adjacent neighborhoods.
- **Policy 30** discourages residential development adjacent to industrial or hazardous uses. Here, the proposed zone change to RUD does not conflict with Policy 30 as the Site is not being developed near or adjacent to industrial or hazardous uses.

- **Policy 34** encourages projects to provide varied neighborhood design and/or innovative architecture such as varied setbacks, rooflines and architecture. Here, the Applicant is providing various options for elevations and floor plans which will allow for variation throughout the community.

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

DESIGN REVIEW

The Applicant is proposing a single-family development consisting of 43 residential lots with a density of 8.85 dwelling units per acre. The lots range from 3,323 square feet to 5,301 square feet. Ingress and Egress is from Oleta Avenue. The Applicant is proposing three (3) different elevations each two (2) stories and approximately 25'9" in height.

Moreover, the Applicant is requesting a design review for a maximum grade fill of 33 inches exceeding the allowable grade fill of 18 inches for a total of up to 51 inches. The Applicant expects that some portions of the Site, similar to the surrounding area, would be filled with more than the 18-inch maximum due to topography and so that the Site's earthworks will balance.

WAIVER OF DEVELOPMENT STANDARDS

The Applicant is requesting a waiver of development standard to reduce the setback from 15' to 13' for lots 15-21 and 35, which would only occur for the largest floor plan. This is due to the drainage easement that bisects the property. These affected lots primarily front a public right-of-way and thus this request will not adversely affect the surrounding neighbors. The Applicant would be willing to accept a condition limiting the waiver to those requested lots.

The Applicant is also requesting a waiver to waive the open space requirements under Table 30.40-2. The RUD requirements for open space are geared towards developments with smaller lot footprints. Here, the proposed development will provide fifteen to twenty foot back yards. Therefore, the open space within the community is not needed.

Finally, the Applicant is submitting a request for a vacation of patent easements which are no longer needed around the Site. The required vacation legal description and exhibit is included with this submittal.



Thank you for your consideration of this application. Please direct any correspondence regarding this matter to me.

Sincerely,
KAEMPFER CROWELL

A handwritten signature in black ink, appearing to read "J. Dagher", written over a horizontal line.

Joseph E. Dagher

03/15/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

OLETA AVE/CONQUISTADOR ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0029-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Oleta Avenue and between Conquistador Street and Hualapai Way within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-19-201-004; 176-19-201-005

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential development. The request is to vacate government patent easements around the boundaries of the 2 parcels that the applicant states are not needed for the development of the area. All required public rights-of-way and utility easement dedications will be provided with the future subdivision of the site.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
NZC-22-0028	A nonconforming zone change to reclassify the site to an RUD zone for a single family residential development is a companion item on this agenda.

Related Applications

Application Number	Request
TM-22-500016	Tentative map for a 43 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

Public Works - Development Review

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

Staff Recommendation

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

- Right-of-way dedication to include 30 feet for Oleta Avenue and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AMH DEVELOPMENT
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS
VEGAS, NV 89135

DRAFT



VACATION APPLICATION 3A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0029</u> DATE FILED: <u>1-17-22</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2-23</u> PC MEETING DATE: <u>3-15</u> BCC MEETING DATE: <u>4-20</u> FEE: <u>\$ 875.00</u>
--	----------------	--

PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust</u> ADDRESS: <u>9500 Hillwood Drive, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>AMH Development, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.703.5295</u> CELL: _____ E-MAIL: <u>mnicholson@ah4r.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Kasempler Crowell - Joseph Bagler</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89135</u> TELEPHONE: <u>702.792.7000</u> CELL: _____ E-MAIL: <u>ajm@krcvllaw.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-19-201-004 & 005

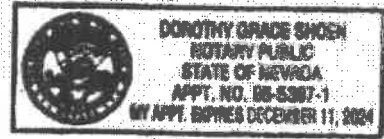
PROPERTY ADDRESS and/or CROSS STREETS: W Oleta Ave & S Conquistador St

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.

Khusrow Roohani
 Property Owner (Signature)*

KHUSROW ROOHANI
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 27, 2021 (DATE)
 by Khusrow Roohani
 NOTARY PUBLIC: Dorothy Grace Shoen



*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.

**KAMPTER
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JOSEPH E. DAGHER
jdagher@kcrlaw.com
702.792.7000

November 16, 2021

VIA UPLOAD

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

VS-22-0029

Re: *Compelling Justification Letter – Nonconforming Zone Change to RUD, Tentative Map, Design Review, Waiver of Development Standards, and Vacation*
APNs: 176-19-201-004 and 005.

Dear sir or madam:

Our office represents AMH Development, LLC (the "Applicant") in the above referenced matter. The proposed project is on approximately 4.86 acres located on the northeast corner of Oleta Avenue and Conquistador Street, bearing Clark County Assessor's Parcel Numbers 176-19-201-004 and 005 (the "Site"). The Applicant is proposing a nonconforming zone change from R-E and H-2 to RUD and design review (1) to develop a 43 lot single-family development; and (2) for a maximum grade fill of 33 inches above the allowable 18 inches. The Applicant is also requesting a waiver of development standards to reduce the rear setbacks from 15' to 13' for lots 15-21 and 35 for only the largest floor plan. Also included with this application is the corresponding tentative map and vacation.

NONCONFORMING ZONE CHANGE

The Site is zoned R-E and H-2. The Enterprise Land Use Plan designation on the Site is Residential Suburban ("RS"). Notwithstanding this designation, 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:**

Since the adoption Enterprise Land Use Plan Map in October 2014, the County has also adopted, in April 2015, Urban Land Use Policies. A nonconforming zone change to RUD is appropriate because the surrounding area has developed out as R-2, which allows for 8 units per acre. There's been a trend for conforming and nonconforming zone changes for similar density in the area. Here, although the Applicant proposes 8.85 units/acre, a very modest increase from

LAS VEGAS OFFICE
1900 Festival Plaza Drive
Suite 600
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.792.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.894.6380
Fax: 775.892.0287

the allowable 8 du/acre in R-2, the Applicant has designed its project with similar sized lots and home sizes as the adjacent R-2 communities, therefore making the requested zone change appropriate and compatible.

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:

The Applicant's proposed density is 8.85 units/acre. This is compatible to other existing planned land uses in the surrounding area because the Applicant's project is consistent with similar sized lots and home sizes as the surrounding area. Directly west and north of the Site is a R-2 zoned property under ROI-0872-16. Directly east and south are two R-2 zoned communities that are in development. As such, there is no negative impact to the adjacent R-2 approved lots.

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. Water and sewer utilities are located near the Site and the Applicant will provide the necessary infrastructure connecting the existing utilities to the Site. There will be no substantial adverse effect to the schools and fire services and police services similarly will not be substantially affected by the development of the Site. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

Pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Single Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- **Policies 4 and 7** encourage preserving existing residential neighborhoods by encouraging vacant lots to develop as similar densities as the existing area. Here, the Applicant is proposing similar density and lot sizes of the adjacent neighborhoods.
- **Policy 30** discourages residential development adjacent to industrial or hazardous uses. Here, the proposed zone change to RUD does not conflict with Policy 30 as the Site is not being developed near or adjacent to industrial or hazardous uses.

- Policy 34 encourages projects to provide varied neighborhood design and/or innovative architecture such as varied setbacks, rooflines and architecture. Here, the Applicant is providing various options for elevations and floor plans which will allow for variation throughout the community.

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

DESIGN REVIEW

The Applicant is proposing a single-family development consisting of 43 residential lots with a density of 8.85 dwelling units per acre. The lots range from 3,323 square feet to 5,301 square feet. Ingress and Egress is from Oleta Avenue. The Applicant is proposing three (3) different elevations each two (2) stories and approximately 25'9" in height.

Moreover, the Applicant is requesting a design review for a maximum grade fill of 33 inches exceeding the allowable grade fill of 18 inches for a total of up to 51 inches. The Applicant expects that some portions of the Site, similar to the surrounding area, would be filled with more than the 18-inch maximum due to topography and so that the Site's earthworks will balance.

WAIVER OF DEVELOPMENT STANDARDS

The Applicant is requesting a waiver of development standard to reduce the setback from 15' to 13' for lots 15-21 and 35, which would only occur for the largest floor plan. This is due to the drainage easement that bisects the property. These affected lots primarily front a public right-of-way and thus this request will not adversely affect the surrounding neighbors. The Applicant would be willing to accept a condition limiting the waiver to those requested lots.

The Applicant is also requesting a waiver to waive the open space requirements under Table 30.40-2. The RUD requirements for open space are geared towards developments with smaller lot footprints. Here, the proposed development will provide fifteen to twenty foot back yards. Therefore, the open space within the community is not needed.

Finally, the Applicant is submitting a request for a vacation of patent easements which are no longer needed around the Site. The required vacation legal description and exhibit is included with this submittal.



Thank you for your consideration of this application. Please direct any correspondence regarding this matter to me.

Sincerely,

KAEMPFER CROWELL

A handwritten signature in black ink, appearing to read "J. Dagher", written over a horizontal line.

Joseph E. Dagher

03/15/22 PC AGENDA SHEET

OLETA - CONQUISTADOR
(TITLE 30)

OLETA AVE/CONQUISTADOR ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-22-500016-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

TENTATIVE MAP consisting of 43 single family residential lots and common lots on 4.9 acres in an RUD (Residential Urban Density) Zone.

Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-19-201-004; 176-19-201-005

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.9
- Number of Lots: 43 residential/ 2 common elements
- Density (du/ac): 8.8
- Minimum/Maximum Lot Size (square feet): 3,323/5,301
- Project Type: Single family residential development

Site Plans

The plans depict a single family residential development consisting of 43 lots with a density of 8.8 dwelling units per acre. The site has frontage along Oleta Avenue on the south side of the site and Conquistador Street along the east side. The plans show 7 lots will get access from Oleta Avenue and 8 lots from Conquistador Street. The remaining 28 lots will take access from 2 proposed public streets which will intersect with Oleta Avenue and terminate in cul-de-sacs. The proposed public streets within the development will be 48 feet wide with 5 foot wide sidewalks on each side of the streets. The plans depict 2 common element lots that are located at the northern end of the proposed cul-de-sacs within the development. These common elements will be a total of 650 square feet and will be used for drainage and utility easements.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
NZC-22-0028	A nonconforming zone change to reclassify the site to an RUD zone for a single family residential development is a companion item on this agenda.
VS-22-0029	A request to vacate and abandon easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30; however, staff does not support the zone change required to approve this tentative map; therefore, cannot support the request.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 20, 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;
- Right-of-way dedication to include 30 feet for Oleta Avenue and associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

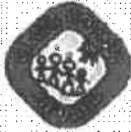
- Streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided.

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 #0302-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: AMH DEVELOPMENT
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135



TENTATIVE MAP APPLICATION 4A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500016</u>	DATE FILED: <u>1-19-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>2-23-21</u>
		TAB/CAC: <u>Entire parcel</u>	
		PC MEETING DATE: <u>3-15</u>	
		BCC MEETING DATE: <u>4-20</u>	
		FEE: <u>\$ 750.00</u>	

PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust</u>
	ADDRESS: <u>9500 Hillwood Drive, Suite 110</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>AMH Development, LLC</u>
	ADDRESS: <u>280 Pilot Road, Suite 110</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702.703.5295</u> CELL: _____
	E-MAIL: <u>mnicholson@ah4r.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Kaempfer Crowell - Joseph Decker</u>
	ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702.792.7000</u> CELL: _____
	E-MAIL: <u>ajperew@kcwlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-004 & 005

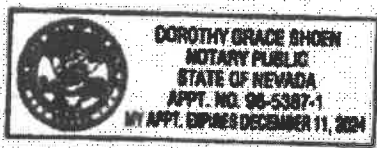
PROPERTY ADDRESS and/or CROSS STREETS: W Oleta Ave & S Conquistador St
 TENTATIVE MAP NAME: Oleta Conquistador

I, We, the undersigned swear and say that I am, We are) the owner(s) or 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)

KHUSROW ROOHANI
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 27, 2021 (DATE)
 BY Roohani Khusrow
 NOTARY PUBLIC: Dorothy Grace Shoen



*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.

03/15/22 PC AGENDA SHEET

SENIOR HOUSING
(TITLE 30)

BUFFALO DR/CACTUS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0042-STIMSON CHRISTOPHER J & A FAM TR & STIMSON CHRISTOPHER & ARALEE TRS:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

USE PERMIT for senior housing.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) increase building height; 3) reduce the height/setback ratio requirement adjacent to a single family residential use; and 4) alternative landscaping adjacent to a residential use.

DESIGN REVIEWS for the following: 1) senior housing (multiple family development); 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the west side of Buffalo Drive and the south side of Cactus Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

RELATED INFORMATION:

APN:

176-33-501-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase wall height to 8 feet where 6 feet is the maximum permitted per Section 30.64.020 (a 33.3% increase).
- b. Increase the height of a combination screen wall/retaining wall to 12 feet (8 foot screen wall with a 4 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
2. Increase building height to 44 feet where 35 feet is the maximum permitted per Table 30.40-3 (a 25.7% increase).
3. Reduce the height/setback ratio requirement adjacent to a single family residential use to 76 feet where 108 feet is required per Section 30.56.070 and Figure 30.56-10 (a 29.7% reduction).
4. a. Permit alternative landscaping adjacent to a residential use where landscaping and screening per Figure 30.64-11 is required.
- b. Permit a non-decorative block wall where a decorative block wall is required adjacent to a residential use per Figure 300.64-11.

DESIGN REVIEWS:

1. Senior housing (multiple family development).
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33.3% increase).

LAND USE PLAN: ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Units: 125
- Density (du/ac): 25
- Project Type: Senior housing
- Number of Stories: 3
- Building Height (feet): 44
- Square Feet: 137,504
- Open Space Required/Provided: 12,500/69,824
- Parking Required/Provided: 125/126

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 5 acres from an R-E zoning district to an R-4 zoning district to allow a senior housing (multiple family) development. The applicant conducted a neighborhood meeting on October 4, 2021. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Twenty-six people attended the meeting and expressed concerns with the requested zoning districts, increase in traffic, building architecture, and compatibility with the surrounding residential development.

Site Plans and Request

The proposed senior housing development has been submitted as an affordable housing project. The plans depict a proposed senior housing (multiple family development) on a 5 acre project site consisting of 125 dwelling units with a density of 25 dwelling units per acre. The proposal consists of a single, 3 story multiple family building within the boundaries of the project site. The building is set back as follows: 1) 36.5 feet from the north property line, adjacent to Cactus Avenue; 2) 26.5 feet from the east property line, adjacent to Buffalo Drive; 3) 89 feet from the south property line, adjacent to an existing single family residential development; and 4) 76 feet from the west property line, adjacent to an undeveloped BLM property. A waiver of development standards is required to reduce the height/setback ratio for the west side of the building that is abutting a residential use (Open Lands (1 du/10 ac)). The overall footprint of the building is separated by 3 open space areas ranging between 6,671 square feet to 11,377 square feet, oriented towards Buffalo Drive. The development requires 12,500 square feet of open

space where 69,824 square feet of open space is provided. Open space consists of a swimming pool, courtyards, shade structures, dog park, community vegetable and botanical garden, barbecue areas, and perimeter walkways. The senior housing development requires 125 parking spaces where 126 spaces are provided. A carport structure, measuring 12 feet in height, is set back a minimum of 6 feet from the west property line. A second carport structure, measuring 12 feet in height, is located within the row of parking spaces along the west side of the building. Photovoltaic solar panels will be surface mounted to the carports and are part of the overall height of the carports. Access to the site is granted by a single driveway, located at the southeast corner of the site, adjacent to Buffalo Drive. A crash gate for emergency access is located at the northwest corner of the site, adjacent to Cactus Avenue. An increase in finished grade is also a part of this request, with the largest increase occurring at the southeast corner of the building. A combined screen wall/retaining wall measuring 12 feet (8 foot screen wall with a 4 foot retaining wall) in height is proposed at the southeast portion of the site, in proximity to the increase in finished grade.

Landscaping

The plans depict a 15 foot wide landscape area along Cactus Avenue, featuring a 5 foot wide detached sidewalk. Twenty-four to 36 inch box trees, in addition to shrubs and groundcover, will be planted along the street. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is located along Buffalo Drive. Twenty-four to 36 inch box trees, in addition to shrubs and groundcover will be planted along Buffalo Drive. An 8 foot high decorative wall, requiring a waiver of development standards, is located behind the street landscape area and along the east, west, and north sides of the project site. The decorative wall is separated at various intervals by an 8 foot high decorative view fence. A waiver is required to utilize alternative landscaping adjacent to a less intensive use, single family residential, along the south and west property lines of the site. A row of large 24 inch box evergreen trees, in addition to Arizona Rosewoods, are proposed along the south property line adjacent to the existing single family residential development. A single row of Arizona Redwoods, planted 10 feet on center along the west property line, are provided in lieu of the required 24 inch box large evergreen trees per Figure 30.64-11. A waiver is necessary to permit an 8 foot high painted, non-decorative wall along the west property line of the site.

In lieu of providing the required amount of landscape finger islands within the interior of the site, specifically where carports and the uncovered parking spaces are proposed, additional trees will be planted throughout the interior and perimeter of the development. The senior housing development requires a total of 31 medium or 21 large trees within the interior of the parking lot. A total of 72 trees (45 medium and 27 large), in addition to the required trees along the street frontage, will be distributed throughout the interior of the development.

Elevations

The plans depict a 3 story building extending up to 44 feet in height to the top of the parapet wall. The exterior of the building consists of stucco and foam trim. The mass of the building is reduced by off-set surface planes, parapet walls, and pitched concrete tile roofs along the roofline at varying heights. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The building is painted with neutral, earth tone colors. The

carport structures measure up to 12 feet in height and feature photovoltaic solar panels that will be surface mounted. The carport structures will be painted to match the building.

Floor Plans

The plans consist of 76 one bedroom and 49 two bedroom units distributed throughout the 3 story building. The first floor of the building also contains a multi-purpose room, fitness center, lounge area, offices, computer room, clinic, storage rooms, boiler room, maintenance room, and various offices. The second floor of the building features amenities such as a theater and a library.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the senior housing limitations will be publicized and included in the lease agreement and are a requirement of the project funding. The additional wall height increase of 2 feet reduces the chance of people climbing over and provides more privacy, which was a concern of the neighbors. The purpose of the intense landscape buffer is for visual screening between neighboring properties. Trees often have reduced foliage lower to the ground, especially as they mature and are trimmed. The intent is to have a row of taller trees partnered with shorter trees, providing a more effective visual buffer. The Arizona Rosewood can be trained to grow as a small tree (see note 8 in Regional Plant Guide). This species was selected purposely to densely fill in the lower areas, below and above the top of wall. As the Regional Plant Guide states: bulletproof, 15 feet tall on average, 10 feet in width on average, evergreen, low water use, highly drought tolerant, spineless, may be trained as a small tree. The combination of trees 20 feet on center and these small trees 20 feet on center, will provide for more screening than all large, tall trees, and be a healthier landscape over time. These small trees also count as the required shrubs in that they are 6 feet wide, due to foliage to the ground. The Arizona Rosewood can be trimmed to a height not exceeding the carports which will be covered with photovoltaic solar panels. Tall trees would shade the panels and reduce power generation. According to the applicant, 8 foot tall screen walls will provide an additional deterrent for wall jumpers, and the retaining walls may be 4 feet tall. However, the retaining walls reduce in height from approximately 4 feet to zero feet heading south to north along Buffalo Drive, and none on Cactus Avenue. The highest portion of the building is a small roof area over a stairway to the roof needed by maintenance staff. With architectural enhancements it should blend in with the architecture.

The applicant is requesting a design review for alternative parking lot landscaping. The site design provides additional large and medium trees along the perimeter and the interior to meet or exceed the required number, thus meeting the requirements for alternative parking lot landscaping. The off-setting benefit is more solar power generation by eliminating trees shading of solar panels and the trees will be relocated where providing more benefit to the residents. Also, the landscaping in these fingers is usually trampled by residents and struggles to survive, easily observed in most parking lots. A design review is also requested to increase finished grade to ensure that the building is set high enough above the grades of Buffalo Drive and Cactus Avenue to provide flood protection. The maximum fill is anticipated to be up to 43.2 inches (approximately up to 48 inches) which is a 7.5 inch increase over the maximum of 3 feet. The

area of the highest fill occurs at the southeast corner of the building as depicted on cross sections submitted with this request.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Open Lands	P-F	Drainage channel & undeveloped
South	Open Lands	R-2	Single family residential
East	Neighborhood Commercial	R-2	Single family residential

Related Applications

Application Number	Request
VS-22-0043	A request to vacate and abandon patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant states the property is situated in an area that is currently undergoing significant development, quickly expanding as a large residential area. Buffalo Drive and Cactus Avenue currently serve as major gateways to Mountains Edge and the Blue Diamond Corridor. With this growth the need for affordable housing has become a local dilemma. This affordable senior housing helps Clark County achieve its goals.

Immediately to the north of the proposed development is a 15 acre undeveloped BLM parcel zoned P-F with a planned land use of Open Lands. The parcel also features an existing drainage channel. To the west of the project site is a 270 acre undeveloped BLM parcel zoned R-E with a planned land use of Open Lands. The parcel also includes the continuation of the drainage channel to the north. Furthermore, approximately 333 feet to the west of the project site, is a recently approved 5 acre single family residential development (NZC-21-0669) with R-2 zoning and a planned land use of Open Lands. To the south of the project site is an existing 5 acre

single family residential development zoned R-2 with a planned land use of Open Lands. To the east of the project site, across Buffalo Drive, is an existing 5 acre single family residential development zoned R-2 with a planned land use of Medium Density Residential. To the southeast, across Buffalo Drive, is an existing 20 acre single family residential development zoned R-3 with a planned land use of Mid-Intensity Residential. The proposed zone change to R-4 for senior housing (multiple family development) is inconsistent and incompatible with the existing and approved zoning districts and development in the surrounding area.

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

According to the applicant, the proposed project does not adversely affect the neighborhood as senior housing provides for a mix of housing options and is typically deemed a low impact use. Also, the development has direct access from Buffalo Drive and Cactus Avenue which are major collectors thus minimizing any impact to the other adjacent roads. In addition to this, the neighborhood businesses will benefit from the support of the new residents.

Immediately to the north of the proposed development is a 15 acre undeveloped BLM parcel zoned P-F with a planned land use of Open Lands. The parcel also features an existing drainage channel. To the west of the project site is a 270 acre undeveloped BLM parcel zoned R-E with a planned land use of Open Lands. The parcel also includes the continuation of the drainage channel to the north. Approximately 333 feet to the west of the project site is a recently approved single family residential development (NZC-21-0669) zoned R-2 consisting of 38 lots at 7.7 dwelling units per acre with a planned land use of Open Lands. To the south of the project site is an existing single family residential development zoned R-2 consisting of 28 lots at 5.6 dwelling units per acre with a planned land use of Open Lands. To the east of the project site, across Buffalo Drive, is an existing single family residential development zoned R-2 consisting of 26 lots at 5.6 dwelling units per acre with a planned land use of Medium Density Residential. To the southeast, across Buffalo Drive, is an existing single family residential development zoned RUD consisting of 238 lots at 11.9 dwelling units per acre with a planned land use of Medium Density Residential. Staff finds the density and intensity of the proposed project, a senior housing development with a density of 25 dwelling units per acre, is incompatible with the existing and planned land uses in the area.

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

The applicant states there will not be an adverse effect on these facilities and services, as the proposed development is senior multiple family housing. There will not be an adverse effect on public facilities and services, due to the following: 1) Senior housing presents no effect on schools and minimal effect on roads; 2) The building will have the required fire suppression equipment; 3) The primary access to the site will be from Buffalo Drive which is a major collector and the impact should not affect current traffic; 4) Water and sewer provisions are adjacent to the site in Buffalo Drive and Cactus Way; and 5) Drainage is not an issue since those

concerns will be addressed in pre-development studies and civil drawings in the design phase of the project with appropriate actions put into place.

There has been no indication from service providers that this request will have an adverse or substantial effect on public facilities and services. The school district has indicated that this development would generate 21 additional elementary school, 10 middle school, and 11 high school students. The school district indicates Jones Elementary School and Gunderson Middle School are under capacity by 5 and 437 students, respectively. The school district indicates Desert Oasis High School is over capacity by 774 students. The school district is aware the proposed development is for senior housing.

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

The applicant indicates the project accomplishes almost all Countywide Goals and Policies within the Master Plan, per the following: 1) The project achieves Goal 1.1 by providing diversity in housing type that adds senior housing and differing income levels to the neighborhood; 2) Policy 1.1.2 is met by concentrating higher density housing with access to public transit; 3) Policy 1.1.4 is achieved in that 100 percent of the senior apartments are designed for aging in place and the site is fully accessible; 4) Policy 1.1.5 is met because this is affordable housing which prevents homelessness (without affordable choices) in this case seniors, they would be without housing, thus homeless; 5) Goal 1.2 is achieved by expanding the number of long-term affordable housing units (the type of financing requires these apartments to stay affordable for up to 55 years); 6) Policy 1.2.3 is achieved because Nevada HAND is a non-profit owner-developer, also constructing and managing its' properties; 7) Policy 1.2.4 is achieved because the applicant is partnering with Clark County to work through these zoning issues; 8) Policy 1.2.6 is achieved because this project creates 125 new affordable units; and 9) Policy 1.3.3 is achieved because this multiple family project within a single family detached neighborhood, provides a mix of housing. It should be expected that many neighboring property owners would have parents or relatives that qualify to live here.

Staff finds the proposed zoning complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Furthermore, the proposed zoning complies with Goal 1.2 that encourages expanding the number of long-term affordable housing units available in Clark County.

Summary
Zone Change

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. There has been a change in trend for development within the immediate area; however, that change is for single family residential development not exceeding a maximum of 8 dwelling units per acre. The reclassification of this site to an R-4 zoning district would allow a density up to a maximum of 25 dwelling units per acre that is incompatible with the R-2, R-3, and RUD zoning districts in the immediate area. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-4 zoning; therefore, staff recommends denial.

Use Permit

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

The proposed use for senior housing is consistent with the goals and policies of the Master Plan, as listed below, to provide opportunities for diverse housing options meeting the needs of residents of all ages, income levels and abilities.

- Policy 1.1.1 (Mix of Housing Types) - Encourage the provision of diverse housing types at varied densities and in numerous locations. In particular, seek opportunities to expand “middle” housing options that are less prevalent in unincorporated parts of Clark County, such as duplexes, townhomes, three and four-plexes, and smaller multiple family complexes.
- Policy 1.1.2 (Housing Access) - Concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services.
- Policy 1.1.4 (Supportive Housing) - Encourage housing options that incorporate universal design principles to facilitate aging-in-place, and accommodation of older residents and others with mobility limitations or disabilities.
- Policy 1.1.5 (Housing for Vulnerable Populations) - Collaborate with local and regional partners on development of programs and resources to prevent residents from becoming homeless and facilitate the provision of expanded housing for vulnerable populations, including the elderly and those transitioning away from homelessness.
- Goal 1.2 – Expand the number of long-term affordable housing units available in Clark County.
- Policy 1.2.3 (Non-Profit Ownership) - Encourage acquisition of housing by non-profit organizations, land trusts, or tenants as a strategy to protect housing from upward pressure on prices and rents.

Staff finds the proposed senior housing use is consistent with the purpose, goals, and policies of the Master Plan. However, since staff is not supporting the nonconforming zone boundary amendment associated with this request, staff cannot support the use permit.

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 has no objection to the proposed increase in the wall and fence height along the perimeter of the project site as it will provide additional security for the development. The increased height to the combination screen wall/retaining wall is necessary due to the topographic features and drainage for the subject property. The increased wall height should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting the nonconforming zone boundary amendment, use permit, and design reviews, staff recommends denial of this request.

Waivers of Development Standards #2 and #3

Staff does not have an objection to the increased building height as it should have minimal to no impact on the surrounding land uses. The increased building height is necessary to accommodate a small roof area over a stairway to the roof needed by maintenance staff. The request to reduce the height/setback ratio occurs along the west portion of the building and project site, which is oriented towards an undeveloped 270 acre BLM parcel planned for Open Lands (1 du/10 ac). The reduced height/setback ratio should have minimal to no impact on the adjacent property. However, since staff is not supporting the nonconforming zone boundary amendment, use permit, and design reviews, staff recommends denial of these requests.

Waiver of Development Standards #4

Staff has no objection to utilizing an alternative form of landscaping, consisting of Arizona Rosewoods along the west and south property lines of the project site. The property adjacent to the west side of the project site is currently undeveloped and owned by the BLM. The Arizona Rosewoods, at full maturity, should provide an adequate buffer along the south and west property lines. However, since staff is not supporting the nonconforming zone boundary amendment, use permit, and design reviews, staff recommends denial of this request.

Design Review #1

The proposed multiple family development is located at the corner of 2 arterial streets, Buffalo Drive and Cactus Avenue. The senior housing (multiple family) building has been designed to avoid a monotonous linear pattern along the street frontage, thereby reducing the visual mass of the building. The project provides several amenities including open space, a swimming pool, clubhouse, and fitness center. Furthermore, the building includes off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights. However, since staff is not supporting the zone boundary amendment, use permit, and waiver requests, staff recommends denial of this design review.

Design Review #2

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees within the interior of the site complies with the Master Plan by encouraging screened parking areas and extensive landscaping. The multiple family development requires a total of 31 medium or 21 large trees within the interior of the parking lot. A total of 72 trees (45 medium and 27 large), in addition to the required trees along the street frontage, will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect, and improve the aesthetics of the project site and the surrounding area. Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable.

The trees will provide additional shade and improve the overall aesthetics of the senior housing development. However, since staff is not supporting the zone boundary amendment, use permit, and waiver requests, staff recommends denial of this design review.

Public Works - Development Review

Design Review #3

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 is recommending denial of the application, staff cannot support this waiver.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 20, 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 3 years;
- Limited to certified affordable housing only;
- 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;
- Right-of-way dedication to include 45 feet to 50 feet to the back of curb for Buffalo Drive, 45 feet to 50 feet to the back of curb for Cactus Avenue, and associated spandrel;
- Coordinate with Public Works - Design Division for the Cactus Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Cactus Avenue improvement project.
- 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 and for the Cactus Avenue improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and for the Cactus Avenue improvement project;
- 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; and 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.

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; and to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0042-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ROBERT FEIBLEMAN

CONTACT: CLAYTON NIELSEN, 6765 W. RUSSELL ROAD SUITE 200, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

5A

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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> 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 (ANK) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>MZC-22-0042</u> DATE FILED: <u>1/26/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>ENTERPREP</u> TAB/CAC DATE: <u>2/23/22</u> PC MEETING DATE: <u>3/15/22 @ 7:00 P.M.</u> BCC MEETING DATE: <u>4/20/22 @ 9:00 A.M.</u> FEE: <u>EXEMPT - AFFORDABLE HOUSING PROJECT</u>
	PROPERTY OWNER NAME: <u>Stinson, Christopher J & A Family Trust and Stinson Christopher & Aralee TRS</u> ADDRESS: <u>35 HAWK RIDGE DRIVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89135</u> TELEPHONE: <u>702-791-4947</u> CELL: _____ E-MAIL: <u>CHRISSTINSON@NETNET</u>
	APPLICANT NAME: <u>Robert Feibelman - Nevada HAND</u> ADDRESS: <u>295 E Warm Springs Rd., Ste. 101</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-410-2730</u> CELL: <u>702-285-4501</u> E-MAIL: <u>rfeibelman@nevadahand.org</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Clayton L. Neilson</u> ADDRESS: <u>6575 W Russell Rd. Ste. 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-798-7976</u> CELL: <u>480-748-9994</u> E-MAIL: <u>clayton.neilson@lmeng.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-33-501-004

PROPERTY ADDRESS and/or CROSS STREETS: SWC Buffalo and Cactus

PROJECT DESCRIPTION: Senior Family 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 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.

Christopher J. Stinson CHRISTOPHER J. STINSON
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME, on September 1, 2021 (DATE)
 by Christopher Stinson

NOTARY PUBLIC: Janet Dye



*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.



NEVADA HAND CONSTRUCTION

September 6, 2021, amended January 22, 2022

Mr. Mark Donohue
Principal Planner
Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

PLANNER COPY

Reference: APR-21-101265 Justification and Compelling Justification Letter
APN: 178-33-501-304

Dear Mr. Donohue:

Please accept this justification letter addressing the development plans for the above referenced parcel. We are requesting a re-zone from Rural Estates Residential to R-4 Multiple-Family Residential District (High Density) that is a non-conforming zone boundary amendment, Site Plan Review, Senior Housing Special Use Permit, Design Review and Waiver of Development Standards.

For nearly thirty years, Nevada HAND has focused on providing high quality affordable housing. We have demonstrated that by collaborating proactively with elected officials, planning departments, neighbors, our residents, and our property management teams; the overall development will be better for all and help alleviate the affordable housing crisis in Clark County.

We are requesting a Senior Housing Special Use Permit. Whereas under this designation up to 38 units per gross acre are allowed, we are proposing only 25 units per gross acre. Pursuant to how Title 30.08 Senior Housing is defined, this project will comply with the requirements: of at least one person 55 years or older and all units fitted with senior design features complying the accessibility regulations. Additionally, the project communal areas were designed to meet the physical and social needs of older persons e.g. wider doors, removable cabinet fronts, grab bars, and lower countertops. The senior housing limitations and requirements will be publicized and included in the lease agreement and are a requirement of the project funding. Both HOME funds and LIHTC bonds used to finance this project are only issued when the project is designated to be senior and affordable for a period of up to 55 years.

Recent data from www.NLIHC.org shows that Nevada has a shortfall of 84,320 affordable units for extremely low-income renters and 30% of the renters are seniors. The construction of new affordable housing is difficult due to a myriad of issues, i.e., very few financing options, cost of construction, qualifying land availability, and zoning restrictions. Therefore, every possible new affordable unit is critically important to Clark County.

Nevada HAND is the largest nonprofit in Nevada focused solely on affordable housing. We help Clark County achieve its goals. The current development and construction boom makes it difficult to find qualifying land, yet we have been fortunate to secure this site in the far southwest which is lacking affordable housing. The adjacent parcel west is BLM owned. The projects Santa Barbara Mission architecture is timeless, elegant, and we have stepped the building masses to further minimize the impact on adjacent developments and streets.

In addition to high quality apartments and amenity filled communal areas, Nevada HAND provides resident service coordinators, private transportation, and collaboration with other nonprofits to bring services to our residents. This development will be financed through the Low-Income Housing Tax Credit program which is administered by the Nevada Housing Division. Rents are based on income as a percentage of Area Median Income (AMI).

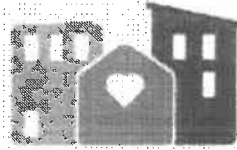
As a result of meeting with and listening to the neighbors, we have reduced the number of stories from four to three; reduced the number of units from 147 to 125; removed carports on the south side; changed the color from white to earth tones; walled and fenced the street frontage; intensified the trees on the south side; and if granted permission we will plant trees on the southerly neighboring property and raise the south wall from 6' to 8'.

☉ (702) 739-3345 F (702) 739-3305 www.NEVADAHAND.org
295 E. Warm Springs Road, Suite 101 Las Vegas, Nevada 89119

Page 2 of 5


CHARTERED MEMBER

①



NEVADA HAND CONSTRUCTION

PLANNER
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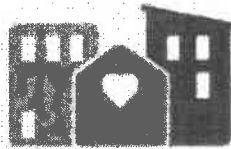
As land availability decreases and prices increase, Clark County's goal of new affordable housing becomes increasingly difficult. Higher density and taller buildings are a result of all the factors combined. Although this is a non-conforming use according to the County's current land use standards, the involvement of the neighborhood indicates that a project of this nature will enhance the area, adding diversity and vitality, one of the current goals of affordable housing.

We propose to provide 125 apartments on 5.0 gross acres at a density of 25 units per gross acre. The proposed development consists of 76 one-bedroom and 49 two-bedroom apartments along with indoor and outdoor communal areas and amenities.

We are requesting waivers of the development standards listed below:

1. Allow for an 8' tall wall along the western and southern (if existing is removed and replaced) property line (Figure 30.64-8) without increasing the landscape from a 6' to 10'.
Justification: The additional 2' of wall reduces the chance of people climbing over and provides more privacy, which was a concern of the neighbors.
2. Allow for a waiver of standards to increase the building height to approximately 44' where 35' is allowed.
Justification: The additional height is necessary for three stories which include 9' ceilings and sloped architectural enhancing rooflines, along with one stairway leading to the roof for maintenance access.
3. Waiver for alternative landscaping standards along south property line allowing for one row of large trees 20' on center and one row of small trees 20' on center, thus trees 10' on center, per Figure 30.64-12, and to allow for Arizona Rosewood to be used as a small tree (see note 8 in Regional Plant Guide). We will install 36" box large trees where only 24" is required, and where small trees are substituted with 5gal (only size available), but they grow fast.
Justification: The purpose of the intense landscape buffer is for visual screening between neighboring properties. Trees often have reduced foliage lower to the ground, especially as they mature and are trimmed. Our intent is to have a row of taller trees partnered with shorter trees, providing a more effective visual buffer. The Arizona Rosewood can be trained to grow as a small tree (see note 8 in Regional Plant Guide). This species was selected purposely to densely fill in the lower areas, below and above the top of wall. As the Regional Plant Guide states: bulletproof, 15' tall avg, 10' width avg, evergreen, low water use, highly drought tolerant, spineless, may be trained as a small tree. We know that the combination of trees 20' on center and these small trees 20' on center, will provide for more screening than all large, tall trees, and be a healthier landscape over time. These small trees also count as the required shrubs in that they are 6' wide, due to foliage to the ground.
4. Waiver for alternative landscaping standards along the west property line allowing for a single row of small trees spaced 10' on center, and a painted smooth CMU wall where a Decorative Wall is required.
Justification: Recognizing the attributes listed above, the Arizona Rosewood can be trimmed to a height not exceeding the carports which will be covered with photovoltaic solar panels. Tall trees would shade the panels and reduce power generation.
5. Waiver of development standard to allow for a combined retaining and screen wall from 8' (3+6) to 12' (4+8) where required.
Justification: As requested above, we are building 8' tall screen walls to provide additional deterrent for wall jumpers, and the retaining walls may be 4' tall. However, the retaining walls reduce in height from approximately 4' to 0' heading south to north along Buffalo, and none on Cactus.
6. Waiver of Development Standards for height setback ratio on the west side, from 108' to 76'.
Justification: The highest portion of the building is a small roof area over a stairway to the roof needed by maintenance staff. With architectural enhancements it should blend in with the architecture.

We are requesting a Design Review for Alternative Parking Lot Landscaping in lieu of a Waiver of Development Standards. Chapter 30.64 Figure 30.64-14 on Page 30.64-19 implies a large or medium tree planted in a landscape finger every 6 or 8 parking spaces which we are removing. The site design provides additional large and medium trees along the perimeter and the interior to meet or exceed the required number, thus meeting the Alternative Parking Lot Landscaping. The offsetting benefit is more solar power generation by eliminating trees shading of solar panels and the trees will be relocated where providing more benefit to the residents. Also, the landscaping in these fingers is usually



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trampled by residents and struggles to survive, easily observed in most parking lots.

We are requesting a Design Review for Fill because the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grades of Buffalo and Cactus to provide flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 3.6' (43.2") which is an increase over the 36" of 0.6' (7.2"). The area of the highest fill occurs at the southeast corner of the building as shown on the provided cross sections.

Compelling Justification

The criteria to be addressed and justification are provided below:

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

Justification: The property is situated in an area that is currently undergoing significant development, quickly expanding as a large residential area. Buffalo Drive and Cactus Avenue currently serve as major gateways to Mountains Edge and the Blue Diamond Corridor. With this growth the need for affordable housing has become a local dilemma. This affordable senior housing helps Clark County achieve its goals.

2. *The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land uses in the surrounding areas.*

Justification: The proposed project does not adversely affect the neighborhood as senior housing provides for a mix of housing options and is typically deemed a low impact use. Also, the development has direct access from Buffalo Drive and Cactus Way which are major collectors thus minimizing any impact to the other adjacent roads. In addition to this, the neighborhood businesses will benefit from the support of the new residents.

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

Justification: There will not be an adverse effect on these facilities and services, as the proposed development is senior multi-family housing.

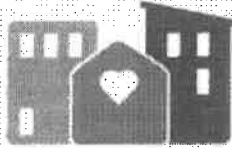
- Senior housing presents no effect on schools and minimal effect on roads.
- The building will have the required fire suppression equipment.
- The primary access to the site will be from Buffalo Drive which is a major collector and the impact should not affect current traffic.
- Water and sewer provisions are adjacent to the site in Buffalo Drive and Cactus Way.
- Drainage is not an issue since those concerns will be addressed in pre-development studies and civil drawings in the design phase of the project with appropriate actions put into place.

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

Justification: This project accomplishes almost all Countywide Goals and Policies.

- The project achieves Goal 1.1 by providing diversity in housing type that adds senior housing and differing income levels to the neighborhood.
- Policy 1.1.2 is met by concentrating higher density housing with access to public transit.
- Policy 1.1.4 is achieved by in that 100% of the senior apartments are designed for aging in place and the site is fully accessible.
- Policy 1.1.5 because this is affordable housing which prevents homelessness. Without affordable choices, in this case seniors, they would be without housing, thus homeless.
- Goal 1.2 is achieved by expanding the number of long-term affordable housing units. The type of financing requires these apartments to stay affordable for up to 55 years.
- Policy 1.2.3 is achieved because Nevada HAND is a non-profit owner-developer, also constructing and managing its' properties.
- Policy 1.2.4 is achieved because we are partnering with Clark County to work through these zoning issues.
- Policy 1.2.6 is achieved because this project creates 125 new affordable units
- Policy 1.3.3 is achieved because this multifamily project within a single family detached neighborhood,





NEVADA HAND CONSTRUCTION

provides a mix of housing. It should be expected that many neighboring property owners would have parents or relatives that qualify to live here.

In summary, Nevada HAND has reviewed the development code, neighboring properties, met with neighbors, and is pleased to submit this compatible development for your review. We look forward to the opportunity to discuss this application in more detail.

Respectfully yours,

Robert D. Fetleman
Executive Vice President

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03/15/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

CACTUS AVE/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0043-STIMSON CHRISTOPHER J & A FAM TR & STIMSON CHRISTOPHER & ARALEE TRS:

VACATE AND ABANDON easements of interest to Clark County located between Cactus Avenue (alignment) and Erie Avenue (alignment), and between Buffalo Drive and Cimarron Road (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

RELATED INFORMATION:

APN:
176-33-501-004

LAND USE PLAN:
ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

This application is a request to vacate and abandon 33 foot wide government patent easements located along the west and south portions of the project site. The vacation of the easements are necessary to develop the subject parcel.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	P-F	Drainage channel & undeveloped
West	Open Lands	R-E	Drainage channel & undeveloped
South	Open Lands	R-2	Single family residential
East	Neighborhood Commercial	R-2	Single family residential

Related Applications

Application Number	Request
NZC-22-0042	A nonconforming zone change to reclassify 5 acres from an R-E zone to an R-4 zone for a proposed senior housing 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 patent easements 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 April 20, 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 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to 50 feet to the back of curb for Buffalo Drive, 45 feet to 50 feet to the back of curb for Cactus Avenue, and associated spandrel;
- Coordinate with Public Works - Design Division for the Cactus Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Cactus Avenue improvement project.
- 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 and for the Cactus Avenue improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and for the Cactus Avenue improvement project;
- 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: ROBERT FEIBLEMAN

CONTACT: CLAYTON NIELSEN, 6765 W. RUSSELL ROAD SUITE 200, LAS VEGAS,
NV 89118

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
- EASEMENT(S)
- RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: VS-22-0049 DATE FILED: 1/26/22
 PLANNER ASSIGNED: MND
 TAB/CAC: ENTERPRISE TAB/CAC DATE: 2/23/22
 PC MEETING DATE: 3/15/22 @ 7:00 P.M. @ 6:00 P.M.
 BCC MEETING DATE: 4/20/22 @ 9:00 AM.
 FEE: EXEMPT - AFFORDABLE HOUSING PROJECT

PROPERTY OWNER

NAME: Stimson, Christopher J&A Family Trust and Stimson Christopher & Aralee TRS
 ADDRESS: 35 HAWK RIDGE DRIVE
 CITY: LAS VEGAS STATE: NEVADA ZIP: 89135
 TELEPHONE: 702-254-4947 CELL:
 E-MAIL: CHRISJSTIMSON@DTC.NET

APPLICANT

NAME: Robert Feibleman - Nevada HAND
 ADDRESS: 295 E Warm Springs Rd., Ste. 101
 CITY: Las Vegas STATE: NV ZIP: 89119
 TELEPHONE: 702-410-2730 CELL: 702-285-4501
 E-MAIL: rfeibleman@nevadahand.org REF CONTACT ID #:

CORRESPONDENT

NAME: Clayton L. Neilsen
 ADDRESS: 6575 W Russell Rd, Ste. 200
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-798-7978 CELL: 480-748-9994
 E-MAIL: clayton.neilsen@irneng.com REF CONTACT ID #:

ASSESSOR'S PARCEL NUMBER(S): 176-33-501-004

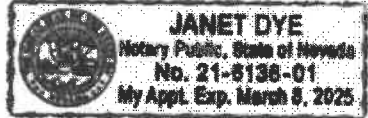
PROPERTY ADDRESS and/or CROSS STREETS: SWC Buffalo and Cactus

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.

Christopher J. Stimson
 Property Owner (Signature)

CHRISTOPHER J. STIMSON
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON September 1, 2021 (DATE)
 BY Christopher Stimson
 NOTARY PUBLIC: Janet Dye



*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.

818-046-212

LARRY R. NELSON, P.E.
President

December 19, 2021

Department of Comprehensive Planning
Development Review
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

Reference: **Vacation of Right-of-Way and Patent Easement Justification
Letter for APN# 176-33-501-004**

Dear Staff:

On behalf of our client, we are pleased to provide information regarding a Vacation request for the above-mentioned parcel number, which is located on the southwest corner of Buffalo Drive and Cactus Avenue.

We are proposing to vacate patent easement (#1208665) across the parcel that was granted per the Bureau of Land Management (Nevada Document 016705) with the exception of the north 33' and the east 33'. Additionally, this patent easement was recorded in Official Records as Book 726, Instrument No. 583651 at the Clark County Recorder's Office. This patent easement is not needed. Public R.O.W adjacent to the site will be dedicated as part of the improvement plan process for the development.

We feel that this development and the proposed vacation are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this patent easement vacation. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.
Vice President/ Civil Department Manager

NEVADA

L.R. NELSON
CONSULTING ENGINEERS, LLC

6785 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702/798-7978
FAX 702/451-2296
Email lnelson@lmcng.com

UTAH

L.R. NELSON
CONSULTING ENGINEERS, LLC

51 West 9000 South
Sandy, UT 84070-2008

Phone 801/595-8530
FAX 801/595-8340
Email lnengineers@lmcst.com

03/15/22 PC AGENDA SHEET

VEHICLE SALES & RENTAL
(TITLE 30)

RAINBOW BLVD/LANDBERG AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-22-0045-RAINBOW EXPRESS, LLC:

ZONE CHANGE to reclassify 14.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

USE PERMITS for the following: 1) vehicle rental; and 2) vehicle sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) throat depth; 2) driveway approach; 3) driveway departure; and 4) access to a local residential street.

DESIGN REVIEW for a vehicle rental and sales facility.

Generally located on the west side of Rainbow Boulevard and the north side of Landberg Avenue within Enterprise (description on file). JJ/jvm/jo (For possible action)

RELATED INFORMATION:

APN:

176-22-801-009; 176-22-801-010; 176-27-501-007; 176-27-501-008; 176-27-501-014 through 176-27-501-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce throat depth to 5 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 93% reduction).
2. Reduce the approach distance to 34 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 77% reduction).
3. Reduce departure distance to 150 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 21% reduction).
4. Allow access to a 60 foot wide residential collector street (Landberg Avenue) where the block is master planned for residential uses.

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14.6

- Project Type: Vehicle rental & sales
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 3,800
- Parking Required/Provided: 5/134

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 14.6 acres from an R-E zoning district to a C-1 zoning district to allow a vehicle rental & sales facility. The applicant conducted a virtual neighborhood meeting on October 14, 2021. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Twenty-one people attended the meeting and in general viewed the project favorably.

Site Plan

The submitted plan depicts a 14.6 acre site located at the northwest corner of Landberg Avenue and Rainbow Boulevard. Ingress/egress is proposed from 1 driveway on Rainbow Boulevard which is gated, and 2 driveways from Landberg Avenue which are being primarily used for transport truck deliveries. The eastern one third of the property is shown as the area where the rental activity will take place. The 3,200 square foot rental building is shown in the southeast quadrant of the property with parking shown to the south and east of the building. A carwash bay and detailing area are depicted to the north of the rental building. The western two thirds of the property is shown as essentially a large vehicle storage area.

There is currently an adopted trail alignment that bisects the proposed development. The adopted trail alignment that affects this development site is proposed to be realigned; however, any realignment must proceed through an amendment process with public feedback and a public hearing process. The applicant is aware that if realignment is not adopted for the trail affecting this site, a redesign of the site will have to occur to comply with all adopted trail alignments.

Landscaping

Along Rainbow Boulevard north of the driveway entrance a 29 foot, 6 inch planter with detached sidewalk is proposed which includes trees, shrubs, and groundcover. A 6 foot tall wrought iron fence is depicted behind the landscaping and throughout the property to secure the parking/storage area. South of the driveway along Rainbow Boulevard the proposed landscape planter is 42 feet, 6 inches in width with a detached sidewalk which includes trees, shrubs, and groundcover. A 9.5 foot wide landscape planter is depicted along the northern boundary of the property. Additionally, a 15 foot to 31 foot wide landscape planter with attached sidewalk is shown along Landberg Avenue. An approximate 8.5 foot wide landscape planter with trees 30 feet on center is shown along Rosanna Street

Elevations

The plans submitted for the rental car building depict a primarily 17 foot tall building with a 22 foot tall false façade in the front of the structure. The walls are primarily painted stucco with approximately 3 feet of stone work at the base of the building. The car wash bay with covered detail area will be constructed with similar materials as the rental building.

Floor Plans

The 3,200 square foot rental building has multiple offices, 2 break rooms, restrooms, a rental lobby, and a key room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the site has ample frontage on Rainbow Boulevard and will act as a buffer between the railroad and the RNP to the west and south. The proposed use is compatible with adjacent uses and will not cause any increases on public infrastructure. In addition, the applicant states that the project supports Core Value 1 that encourages the establishment of neighborhood serving commercial centers.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400117 (Nzc-0277-17)	First extension of time to reclassify to C-2 zoning for a shopping center (reduced to C-1)	Approved by BCC	December 2020
Nzc-0277-17)	Reclassified to C-2 zoning for a shopping center (reduced to C-1)	Approved by BCC	August 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I) & R-E	Undeveloped & Single family residential
South	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-I)	Undeveloped
East	Business Employment	M-D & R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

Related Applications

Application Number	Request
VS-22-0055	A request to vacate and abandon easements of interest is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant states that the site has ample frontage on Rainbow Boulevard and will act as a buffer between the railroad and the Rural Neighborhood Protection (RNP) to the west and south.

Staff finds that there are no changes or trends, subsequent to the adoption of the land use plan, that make this amendment either appropriate or justified. No unique conditions or circumstances have occurred in the immediate area or on this property since the adoption of the Enterprise Land Use Plan in 2014 to make this request appropriate. The immediate area has seen development of land uses in accordance with the adopted plan. Therefore, there has been substantial reliance on the land use pattern that was considered and adopted as part of the participatory planning process of a land use plan update. Therefore, staff finds that the character and condition of the area has not changed and the proposed zone boundary amendment is not 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 intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. This request for a C-1 zoned development along this portion of the Rainbow Boulevard corridor, and adjacent and contiguous to a well established RNP, will not complement the amount of single family, medium density residential, and planned commercial developments and is out of character with the area. The applicant has provided minimal transition strategies in the form of an intense landscape buffer along the west. Staff is concerned with the potential incompatibility between the proposed C-1 zoning and commensurate bulk, yard, and space regulations and densities that are either adjacent, contiguous, or in the immediate area. Directly north, south, and west is a planned land use of RNP. During the 2014 Enterprise Land Use Plan Update process, there was a request for the current land use category designations of Residential Low (up to 3 du/ac) on the west half of the site and Commercial Neighborhood on the east half adjacent to Rainbow Boulevard. The Master Plan and Enterprise Land Use Plan encourage the compatibility between commercial developments and adjoining land uses through a variety of strategies that include, in part, site planning, building design, and increased buffer areas. This vehicle rental and sales facility has the appearance of being a rental facility on the eastern third of the property and what amounts to outside storage on the western two thirds of the property. Since the vehicle sales is only being done on-line and wholesale, no customers will be coming to the site to view the vehicles being stored on the property, thus the storage of the vehicles is essentially outside storage which is

allowed in the M-1 zoning district. Therefore, staff finds the proposed project is not compatible with the density of the existing and planned land uses in the surrounding area or street network.

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.*

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. Sufficient public services may not exist in the immediate area and because the site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities. The proposed C-1 zoning for the vehicle rental and sales facility will have a different traffic generation and patterns from those anticipated with the current land use designations. Staff has concerns with traffic generated from this project that may travel west into a single family residential area, including an adopted RNP, and create negative and adverse impacts. Additionally, staff is concerned with traffic from Landberg Avenue attempting to travel north onto Rainbow Boulevard without a signalized intersection.

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

Staff finds that this request does not comply with the Master Plan which encourages, the implementation of a comprehensive land use plan by promoting development that is compatible with adjacent land uses, and that is well integrated with appropriate service and facilities. In addition it is encouraged that site designs are compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. Staff finds the intrusion of C-1 zoning along this portion of the Rainbow Boulevard corridor may adversely change the character of the planned area where undeveloped land exists. The C-1 zoning district is established to provide for the development of retail businesses or personal services and to serve as a convenience to neighborhoods and limited local markets. The current request for vehicle rental with essentially outside storage does not meet the intent of the zoning district.

Summary Zone Change

During the 2014 Enterprise Land Use Plan Update process, there was a request for the current land use category designations of Residential Low (up to 3 du/ac) on the west half of the site and Commercial Neighborhood on the east half adjacent to Rainbow Boulevard. Approval of this nonconforming request will do the following: 1) allow an applicant to circumvent the major land use update process; and 2) allow more intense zoning contiguous to an existing RNP area. Additionally, staff finds the intrusion of C-1 zoning along this portion of the Rainbow Boulevard corridor may adversely change the character of the planned area where undeveloped land exists. The C-1 zoning district is established to provide for the development of retail businesses or personal services and to serve as a convenience to neighborhoods and limited local markets.

Staff finds there are no changes or trends, subsequent to the adoption of the land use plan, that make this amendment either appropriate or justified. No unique conditions or circumstances have occurred in the immediate area since the adoption of the Enterprise Land Use Plan in 2014 to make this request appropriate. The immediate area has seen the development of land uses in accordance with the adopted plan. Therefore, there has been substantial reliance on the land use pattern that was considered and adopted as part of the participatory planning process of a major land use plan update.

Use Permits

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

The C-1 zoning district is established to provide for the development of retail businesses or personal services and to serve as a convenience to neighborhoods and limited local markets. The current request for vehicle rental with essentially outside storage does not meet the intent of the zoning district. Therefore, staff does not support the proposed uses of vehicle rental and vehicle sales.

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 #4 & Design Review

The site design, building design, and development parameters, including the requested access to Landberg Avenue, are established and dependent on consideration of the companion request, thereby requiring contingent consideration of this portion of the request. Since staff is not supporting the requested intensity of C-1 zoning with corresponding site design, staff cannot support the waiver of development standards and design review since the portions of the request cannot function independent of the requested zoning districts. Staff finds the applicant has not demonstrated that the plans satisfy the following criteria for a design review: 1) the proposed development is compatible with adjacent development and development in the area; 2) the proposed development is consistent with the applicable land use plan and Title 30; 3) site access and traffic circulation do not negatively impact adjacent roadways or neighborhood traffic; and 4) the project is harmonious and compatible with development in the area.

Public Works - Development Review

Waiver of Development Standards #1

A site redesign would allow for the driveways on Rainbow Boulevard and Landberg Avenue to meet the minimum throat depth standards. Since Rainbow Boulevard is an arterial street, it is important that traffic can flow safely without the impediment of vehicles attempting to access the

parking lot. Landberg Avenue serves as a local collector street providing access to the adjacent area that is planned Ranch Estate Neighborhood. Therefore, vehicles need to be able to proceed west of the subject site without being hindered by automobiles and transport trucks accessing the proposed development.

Waiver of Development Standards #2 and #3

Staff cannot support the reduction of the approach or departure distances along either driveway on Landberg Avenue. Staff has concerns with the traffic coming off Rainbow Boulevard as well as the residential traffic to the south and west being in conflict with movements from both of the commercial driveways. The transport trucks exiting onto Landberg Avenue will also increase the potential of conflict in the right-of-way.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 20, 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 3 years;
- Enter into a standard development agreement prior to and 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;
- Design review as a public hearing for significant changes to plans;
- 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;
- Traffic study and compliance;
- Full off-site improvements;

- Right-of-way dedication to include 55 feet to the back of curb for Rainbow Boulevard, 30 feet for Landberg Avenue, 30 feet for Rosanna Street with a portion of an elbow at the Rosanna Street and Gomer Road intersection, and associated spandrels;
- Coordinate with Public Works - Design Division for the Blue Diamond Railroad Channel and the Rainbow Boulevard improvement projects;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Railroad Channel and the Rainbow Boulevard improvement projects;
- 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 and for the above mentioned improvement projects;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and for the above mentioned improvement projects.
- 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.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0043-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ZACH BROYLES

**CONTACT: ZACH BROYLES, IZ DESIGN STUDIO, 7229 W. SAHARA AVE, STE 120,
LAS VEGAS, NV 89117**



LAND USE APPLICATION

7A

DEPARTMENT OF COMPREHENSIVE PLANNING

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) <input checked="" 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 type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC-22-0045</u> DATE FILED: <u>1/26/22</u> PLANNER ASSIGNED: <u>JVM</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2/23/22</u> PC MEETING DATE: <u>3-15-22</u> PC BCC MEETING DATE: <u>4-20-22</u> - BCC FEE: _____
	PROPERTY OWNER NAME: <u>Rainbow Express, LLC. A Nevada limited liability company</u> ADDRESS: <u>1000 N. Green Valley, #440-350</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-837-8434</u> CELL: <u>702-628-1100</u> E-MAIL: <u>tiffany@encorems.com; randelsr@encorecre.com</u>
	APPLICANT NAME: <u>Enterprise Leasing Company -West, LLC</u> ADDRESS: <u>6855 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>Keith Duffy</u> CELL: <u>702-280-5823</u> E-MAIL: <u>keith.p.duffy@ehi.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>IZ Design Studio</u> ADDRESS: <u>7229 W. Sahara Ave. # 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702-441-0026</u> CELL: <u>702-327-1754</u> E-MAIL: <u>zach@izdesignstudio.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-22-601-010, 176-22-601-009, 176-27-501-007, 176-27-501-008, 176-27-501-014, 176-27-501-015

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd and Landburg

PROJECT DESCRIPTION: Enterprise Rent-A-Car rental branch and wholesale remarketing lot

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

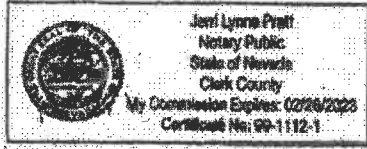
[Signature]
Property Owner (Signature)

Kenneth P. O'Connell
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 28 2021 (DATE)

by Jeri Lynne Pratt
NOTARY PUBLIC: Jeri Lynne Pratt



*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

JOSEPH E. DAGHER
jdagher@kcaonline.com
702.792.7000

January 18, 2022

VIA UPLOAD

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

Re: Compelling Justification Letter
APNs: 176-22-801-010, 009, 176-27-501-007, 008, 014, and 015

Dear sir or madam:

This firm represents Enterprise Holdings (the "Applicant.") The Applicant is proposing to develop a vehicle rental/sales facility on vacant property comprised of 14.6 acres located near Rainbow and Landberg, bearing Clark County Assessor Parcel Numbers 176-22-801-010, 009, 176-27-501-007, 008, 014, and 015 (the "Site").

By way of background, the Site was re-zoned to C-1 under a resolution of intent (ROI-0277-17) from R-E in August 2017. The August 2017 plans that corresponded with the zone change depicted a 70,950 square foot commercial center consisting of two in-line retail buildings along the west property line, a large anchor retail building along the west property line, two retail pad sites along Rainbow Boulevard and two drive-thru restaurant pad sites along Rainbow Boulevard. Because the site plan has significantly changed to a less intense use, the Applicant is requesting a non-conforming zone change from R-E to C-1, special use permits, design review for a proposed facility, and waiver of development standards to allow for a vehicle rental/sales facility.

NONCONFORMING ZONE CHANGE

The Site is master planned Neighborhood Commercial, Low-Intensity Suburban Neighborhood, and Compact Neighborhood and zoned R-E. A portion of the Site (APN 176-27-501-015) is also designated as a Major Project. This request for a zone change to C-1 for the Site 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 Site previously underwent a zone change to C-1 in August 2017. Moreover, a portion of the Site is along the Union Pacific Railroad tracks and master planned RL. Because of the noise

NZC-22-0045

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 800
Las Vegas, NV 89138
Tel: 702.792.7000
Fax: 702.792.7101

RENO OFFICE
60 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

of the trains, a commercial development along the railroad tracks is the perfect buffer to the RNP to the west and south of the Site. Additionally, the Site has ample frontage on Rainbow Boulevard, a major right-of-way.

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:

The Site's location for a proposed vehicle rental/sales facility is ideal as it will ensure a good buffer to the RNP. Moreover, Rainbow Boulevard has a mixture of planned commercial and business design and research park uses making the proposed use compatible with adjacent buildings. And, the proposed operational hours will match or be less than surrounding uses. Therefore, the intensity and density of the proposed facility is appropriate and compatible for the area.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire, and police facilities, and 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. Water and sewer facilities are located near the Site and the Applicant will provide the necessary infrastructure connecting the existing utilities to the Site. The proposed facility has no adverse impact on the schools in the area. The Site will not be a burden on the Clark County recreation facilities. Fire service and police services similarly will not be substantially affected by the development of the Site. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

The project meets several of the countywide goals and policies in the recently adopted *Transform Clark County Master Plan*. For example, the goals and policies of Core Value 1 seeks to promote a more sustainable and resilient Clark County by, among others, encouraging development along high-frequency transit corridors. Further, Core Value 1 supports the establishment of neighborhood-serving commercial centers near where people live. Here, the Site is located along a major high-frequency arterial, Rainbow Boulevard, so it has ideal circulation and access from both Rainbow and Landberg to support the proposed facility. It is further located near public facilities and mass transit stops.

SPECIAL USE PERMIT

The Applicant requests special use permits for a (1) vehicle rental facility; and (2) vehicle sales facility. The Applicant will not be sharing its parking lot, so the conditional use requirements will not apply. The proposed hours of operation for the rental facility are Monday through Friday

from 7:00 a.m. to 5:00 p.m., and Saturday from 9:00 a.m. to 2:00 p.m. The vehicle sales portion of the Site will be for wholesale buyers or online customers, meaning there is not a public vehicle sales area. The facility will be closed on Sundays. The Applicant will not be conducting any vehicle maintenance activity on Site.

DESIGN REVIEW

The Applicant requests a design review for the proposed building. The primary building is 3,800 square feet comprised of painted stucco and other architectural enhancements and features. There will be a separate canopy with an enclosed wash at 1,200 square feet. The maximum height is 22 feet.

WAIVER OF DEVELOPMENT STANDARDS

Throat Depth

The Applicant requests a waiver of development standards for reduced throat depth from the required 75 feet per Uniform Standard Drawing 222.1 on Rainbow Boulevard to 5 feet, and a reduced throat depth on the eastern driveway on Landberg to 22' - 10". The reduced throat depth on Rainbow should have minimal impact, as the area serves a small, 12 space, customer parking lot and the daily rental storage lot. Moreover, the parking area off Rainbow Boulevard is a rental storage lot where there is very minimal to no traffic. Landberg is intended to be a drive aisle and the reduced throat depth is only where the transport trucks enter. Although these transport trucks come at all times of the day, they generally come during off-hours where traffic is minimal. Overall, the Applicant believes vehicles can safely enter and exit the Site.

Driveway Approach

The Applicant also requests a waiver of development standards to allow the western driveway on Landberg Avenue to be 34 feet from the intersection of Rosanna Street where 150 feet is required. This driveway is reserved for transport trucks exiting the development only and it is not meant to be an ingress point. The intent of this driveway is to have transport trucks exit the Site and safely make a left turn only onto Rainbow Boulevard and not Rosanna Street. This was a point of concern for the neighbors raised at the neighborhood meeting and they wanted the transport trucks to exit onto Rainbow Boulevard.

Driveway Departure

The Applicant further requests a waiver of development standards to allow the eastern driveway on Landberg Avenue to be 150 feet from the intersection of Rainbow Boulevard where 190 feet is required. As this driveway should see minimal traffic throughout the day, the proposed reduction should not negatively impact the area.


Access to a Local Residential Street

Finally, the Applicant also requests a waiver of development standards to allow access to Landberg Avenue since the block includes land master planned for single-family residential uses. This will be required to develop the Site into a vehicle rental and sales facility with various access points in light of the Site's multiple land use designations.

Thank you for your consideration of this application. Please direct any correspondence regarding this matter to me.

Sincerely,

KAEMPFER CROWELL



Joseph E. Dagher

**EASEMENTS
(TITLE 30)**

RAINBOW BLVD/LANDBERG AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0055-RAINBOW EXPRESS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street (alignment), and between Landberg Avenue and Gary Avenue (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN:

176-22-801-009; 176-22-801-010; 176-27-501-007; 176-27-501-008; 176-27-501-014 through 176-27-501-015

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

The development includes 6 parcels requiring the vacation of patent easements between 3 feet and 33 feet in width adjacent to the boundary of each parcel

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-460117 (NZA-0277-17)	First extension of time to reclassify to C-2 zoning for a shopping center (reduced to C-1)	Approved by BCC	December 2020
NZA-0277-17)	Reclassified to C-2 zoning for a shopping center (reduced to C-1)	Approved by BCC	August 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I) & R-E	Undeveloped & Single family residential
South	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-I)	Undeveloped
East	Business Employment	M-D & R-E	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

Related Applications

Application Number	Request
NZC-22-0045	A nonconforming zone change to reclassify 14.6 acres from R-E to C-1 zoning for vehicle rental and sales, residential street access, and driveway geometrics 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 patent easements 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 April 20, 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 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 55 feet to the back of curb for Rainbow Boulevard, 30 feet for Landberg Avenue, 30 feet for Rosanna Street with a portion of an elbow at the Rosanna Street and Gomer Road intersection, and associated spandrels;

- Coordinate with Public Works - Design Division for the Blue Diamond Railroad Channel and the Rainbow Boulevard improvement projects;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Railroad Channel and the Rainbow Boulevard improvement projects.
- 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 and for the above mentioned improvement projects;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and for the above mentioned improvement projects;
- 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.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ZACH BROYLES

CONTACT: JOSH HARNEY, BAUGHMAN & TURNER INC, 1210 HINSON ST, LAS VEGAS, NV 89102



VACATION APPLICATION 8A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
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PROPERTY OWNER	NAME: <u>Rainbow Express, LLC A Nevada limited liability company</u> ADDRESS: <u>1000 N. Green Valley, #440-350</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-837-9434</u> CELL: <u>702-528-1100</u> E-MAIL: <u>tiffany@encorems.com; randelsr@encorecre.com</u>
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APPLICANT	NAME: <u>Enterprise Leasing Company - West, LLC</u> ADDRESS: <u>6855 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-597-4587</u> CELL: <u>808-798-3166</u> E-MAIL: <u>mike.peters@ehi.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Josh Harney - Baughman & Turner, Inc</u> ADDRESS: <u>1210 Hinson St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-870-8771</u> CELL: _____ E-MAIL: <u>joshh@baughman-turner.com</u> REF CONTACT ID #: <u>137071</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-22-801-010, 176-22-801-009, 176-27-501-007, 176-27-501-008, 176-27-501-014, 176-27-501-015

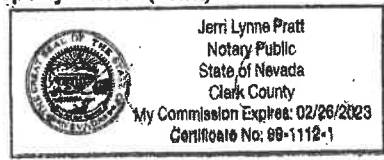
PROPERTY ADDRESS and/or CROSS STREETS: Rainbow and Landberg

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

[Signature]
 Property Owner (Signature)

Kenneth P. O'Connell
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 19, 2021 (DATE)
 By Jerri Lynne Pratt
 NOTARY PUBLIC: Jerri Lynne Pratt



***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.

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name:

RAINBOW EXPRESS, LLC

Entity Number:

LLC3078-2004

Entity Type:

Domestic Limited-Liability Company (86)

Entity Status:

Active

Formation Date:

02/17/2004

NV Business ID:

NV20041033321

Termination Date:

2/17/2504

Annual Report Due Date:

2/28/2022

Series LLC:

Restricted LLC:

REGISTERED AGENT INFORMATION**Name of Individual or Legal Entity:**

ENCORE MANAGEMENT SERVICES, LLC

Status:

Active

CRA Agent Entity Type:**Registered Agent Type:**

Commercial Registered Agent

NV Business ID:

NV20141114532

Office or Position:**Jurisdiction:**

NEVADA

Street Address:

199 N ARROYO GRANDE BLVD, #100, HENDERSON, NV, 89074, USA

Mailing Address:**Individual with Authority to Act:**

TIFFANY THOMAS

Fictitious Website or Domain Name:**OFFICER INFORMATION** **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
-------	------	---------	--------------	--------

Title	Name	Address	Last Updated	Status
Manager	KENNETH O'CONNELL	11227 Cactus Tower Avenue, Unit 103, Las Vegas, NV, 89135, USA	02/29/2020	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#) [Name History](#) [Mergers/Conversions](#)

[Return to Search](#)

[Return to Results](#)

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors

1210 Hinson Street Las Vegas, Nevada 89102-1604
Phone (702) 870-8771 Fax (702) 878-2695

September 21, 2021

Clark County Current Planning

500 S Grand Central Parkway
Las Vegas, Nevada 89155

Re: APNs 176-22-801-009 & -010 and 176-27-501-007, 008, 014 and 015

To Whom It May Concern,

Please let this letter serve as a request and justification for a Vacation and Abandonment of government patent easements. The patent easements lie around the perimeter of all the above five parcels as noted below and as can be seen on the attached site plan.

- APN 176-22-801-010 (Parcel 1)
The 33 ft patent easements lie along the northerly, westerly and southerly property lines
- APN 176-22-801-009 (Parcel 2)
The 33 ft patent easements lie along the northerly, westerly, easterly, and southerly property lines
- APN 176-27-501-008 (Parcel 3)
The 33 ft patent easements lie along the northerly, westerly and southerly property lines
- APN 176-27-501-007 (Parcel 4)
The 33 ft patent easements lie along the northerly, westerly, easterly, and southerly property lines excepting therefrom future right-of-way dedications
- APN 176-27-501-014 (Parcel 5)
The 33 ft patent easements lie along the northerly, westerly, and easterly property lines and a 3 ft patent easement which lies along the southerly property line excepting therefrom future right-of-way dedications
- APN 176-27-501-015 (Parcel 6)
The westerly 20 feet of the easterly 75 feet of road, public utility and flood control easement along the easterly property line

Per the County's request we are vacating the unnecessary patent easement lying outside the proposed dedicated right-of-way to be recorded by separate document. Any utility and/or drainage easements required will be retained. The approval of this request will not have a negative effect on the neighborhood or surrounding areas.

September 21, 2021

APNs 176-22-801-009 & -010 and 176-27-501-007, 008, 014 and 015

Page 2 of 2

Should you have any questions or concerns, please feel free to contact me at this office.

Sincerely,

Baughman & Turner, Inc.

A handwritten signature in black ink, appearing to read "J Harney", written over a faint grid background.

Josh Harney
Project Coordinator

03/15/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

PEBBLE RD/DECATUR BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0073-DESTINY HOMES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Pebble Road and Raven Avenue within Enterprise (description on file). JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN:
177-19-101-001

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The remaining 33 foot wide patent easements adjacent to the east and south property lines are no longer needed. The property will be developed with a retail center and there is no need for patent easements on this property.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0803-15	Reclassified from R-E to C-1 zoning for a retail center	Approved by BCC	January 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-4	Undeveloped
East	Mid-Intensity Suburban Residential (up to 8 du/ac)	R-E	Daycare facility
West & South	Neighborhood Commercial	R-E	Single family residential

Related Applications

Application Number	Request
UC-22-0034	A use permit with waivers and a design review for a mini-warehouse, alternative driveway geometrics, eliminate landscaping, and trash enclosure setbacks 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 patent easements that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include an additional 5 feet to the back of curb for Decatur Boulevard, an additional 5 feet to the back of sidewalk Pebble Road, and associated spandrel;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project;

- 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 and the Decatur Boulevard improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and the Decatur Boulevard improvement project.
- 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.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DESTINY HOMES, LLC

CONTACT: JPL ENGINEERING, INC., 6725 S. EASTERN AVE, STE 5, LAS VEGAS, NV
89119

DRAFT



VACATION APPLICATION

9A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

PROPERTY OWNER	NAME: <u>Destiny Homes LLC</u>
	ADDRESS: <u>2305 Diamondback Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-338-0792</u> CELL: _____
	E-MAIL: <u>gus@destinyhomesllc.com</u>

APPLICANT	NAME: <u>Destiny Homes LLC</u>
	ADDRESS: <u>2305 Diamondback Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-338-0792</u> CELL: _____
	E-MAIL: <u>gus@destinyhomesllc.com</u>
	REF CONTACT ID #: _____

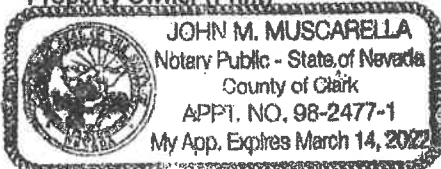
CORRESPONDENT	NAME: <u>JPL Engineering, Inc.</u>
	ADDRESS: <u>6725 S. Eastern Ave, Suite 5</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702-898-6269</u> CELL: _____
	E-MAIL: <u>james@jplengineeringinc.com</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-19-101-001

PROPERTY ADDRESS and/or CROSS STREETS: SEC Decatur and Pebble

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.

Chaman L. Mishra
 Property Owner (Signature)*
 STATE OF NEVADA COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON 6/29/2021 (DATE)
 By GHASSAN G. MISHRAFI
 NOTARY PUBLIC: _____

GHASSAN G. MISHRAFI
 Property Owner (Print)


*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.



June 30, 2021

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

RE: Vacation of Government Patent Easement N-0022528 on portions of APN 177-19-101-001 located at the SEC of Decatur and Pebble

On behalf of the applicant, JPL Engineering Inc. respectfully requests your consideration of the above referenced vacation to comply with development standards for the above referenced lot. This vacation request is consistent with the overall land use of the area and will have not adverse impact on the adjacent properties.

Should you have any questions regarding the project please don't hesitate to contact our office at (702) 898-6269.

Sincerely,

James P. Lopez
Principal Engineer

03/15/22 PC AGENDA SHEET

MINI-WAREHOUSE
(TITLE 30)

PEBBLE RD/DECATUR BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0034-DESTINY HOMES, LLC:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) trash enclosure setback; and 3) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) mini-warehouse; 2) alternative landscaping; and 3) lighting on 1.5 acres in a C-1 (Local Business) Zone.

Generally located on the southeast corner of Pebble Road and Decatur Boulevard within Enterprise. JJ/sd/jo (For possible action)

RELATED INFORMATION:

APN:
177-19-101-001

WAIVER OF DEVELOPMENT STANDARDS:

1. Eliminate landscaping adjacent to a less intensive use where required per Figure 30.64-11.
2. Reduce the setback of a trash enclosure to the right-of-way to 6 feet where 10 feet is required for an accessory structure (a 40% reduction).
3.
 - a. Reduce the minimum departure distance along Pebble Road to 9 feet where 190 feet is required per Uniform Design Standards 222.1 (a 95% reduction).
 - b. Reduce the throat depth for a driveway located along Decatur Boulevard to 3 feet where 25 feet is the standard per Uniform Design Standard 222.1 (an 88% reduction)

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.5
- Project Type: Mini-warehouse
- Number of Stories: 3

- Building Height (feet): 35
- Square Feet: 63,360
- Parking Required/Provided: 8/8

Site Plans

The plans depict a proposed mini-warehouse for an existing vacant parcel located at the southeast corner of Pebble Road and Decatur Boulevard. The proposed mini-warehouse will include 3 above ground floors, a basement floor, and will include 576 storage units. Internal traffic circulation on-site will be one-way with vehicles entering from Decatur Boulevard and exiting on Pebble Road. The proposed building will be in the center east portion of the parcel and adjacent to an existing daycare facility.

Landscaping

The plans depict landscape areas along both Decatur Boulevard and Pebble Road which will be 15 feet in width with a detached sidewalk along Decatur Boulevard and an attached sidewalk along Pebble Road. No landscaping is shown along the eastern portion of the property which is the subject of a waiver to eliminate landscaping adjacent to a less intense use.

Elevations

The plans depict the building façade constructed of wood exterior with panel cladding at the upper corner of the northeast main entrance. Multi-colored two-toned stucco exterior walls with vertical and horizontal reveals, architectural stucco extrusions, and tinted glass visible from Pebble Road and Decatur Boulevard. The maximum height shown is 35 feet.

Floor Plans

The plans depict floor plans with various size storage units on 3 levels. The basement level is storage units with a stairwell. The second and third floor includes storage units of various sizes and restrooms, offices, front desk, and entry way.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this project will provide an essential service to the surrounding area and neighborhoods. Self-storage uses are a common use throughout the County. The request includes requested waivers for landscaping, trash enclosure setbacks, throat depth, and departure distance.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0803-15	Reclassified from R-E to C-1 zoning for a retail center	Approved by BCC	January 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-4	Undeveloped
East	Mid-Intensity Suburban Residential (up to 8 du/ac)	R-E	Daycare facility
West & South	Neighborhood Commercial	R-E	Single family residential

Related Applications

Application Number	Request
VS-22-0073	A request to vacate and abandon an easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

Mini-warehouse facilities tend to be quiet, low traffic, and unobtrusive; therefore, the use is appropriate at this location and will not create any undue adverse effects on adjacent properties. Staff finds the mini-warehouse is a less intense use when compared with other commercial uses that are permitted by right in the C-1 zoning district, such as restaurants and shopping centers. The mini-warehouse use is compatible with the surrounding daycare and residential uses. In addition, the use complies in part with Policy 1.4.4: Infill and Redevelopment policy with regard to scale and intensity, while promoting compatibility; therefore, staff recommends approval.

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 cannot support the request to eliminate the requisite intense landscaping per Figure 30.64-11 to a less intense use. The premise for intense landscaping adjacent to a special use and/or less

intensive use is to provide a buffer to potential impacts of the development. No special circumstance or unique conditions have been stated to support a request to allow for the elimination of the required landscape standards of 30-64-11. The request to waive the requisite landscaping is not in compliance with Policy 1.4.5: buffers and transition to mitigate the impacts of a higher intensity uses. Staff finds this to be a design issue by the applicant and a self-imposed hardship; therefore, staff does not support this request.

Waiver of Development Standards #2

The proposed location of the trash enclosure is shown in the northwest corner of the parcel. The trash enclosure will incorporate requisite screening from the right-of-way and from adjacent properties. The doors of the enclosure open inward away from the right-of-way and the adjacent properties. The waiver request is for encroachment into the setback and will be setback 6 feet from the right-of-way at its closet point. Additional landscaping has been proposed by the applicant surrounding the trash enclosure to screen it from the right-of-way. Staff can support this request for the encroachment of 6 feet as the applicant has provided additional measures to minimize impacts.

Design Review #1

Approval of the design of this project is contingent upon approval of the accompanying use permits and waivers of development standards. The proposed buildings comply with Code, which states that scale relationships between buildings and adjacent developments should be carefully considered. The proposed mini-warehouse facility complies with all the standards of approval for a design review. The plans depict the elevations and design characteristics as being aesthetically pleasing and include articulation to break-up the visual mass of the building from the right-of-way. This facility is designed so that access is one way with ingress from Decatur Boulevard and egress to Pebble Road to alleviate potential traffic impacts to the immediate area.

Design Review #2

Approval of the design of this project is contingent upon approval of the accompanying use permits and waivers of development standards. While the applicant has provided landscape plans that show alternative landscaping measures in relation to their waiver requests in different portions of the property, the request conflicts with several policies in the Master Plan, including, Policy 1.4.5: in relation to requisite buffering and transition to mitigate the impacts of a higher intensity uses to the existing daycare facility to the east; therefore, staff cannot support this design review for alternative landscaping request.

Design Review #3

Approval of the design of this project is contingent upon approval of the accompanying use permits and waivers of development standards. The plans depict a lighting plan with fixtures to be shielded and will not impact the adjacent properties. To the west and north face of the building will have 5 cantilever, directional light fixtures with a 73.2 watt LED light, while the east and south exterior of the building will have 7 cantilever, directional light fixtures with a lower watt of 13.3 watt LED lighting. Staff can support this design review for lighting as the applicant has taken measures to ensure minimal impacts to adjacent properties.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the driveway on Decatur Boulevard or the reduced departure distance on Pebble Road. The applicant worked closely with staff to ensure that vehicular access to the site was designed to be safer by making the drive aisle one way with vehicles entering the site off Decatur Boulevard and exiting from the Pebble Road driveway. Since mini storage uses see a low volume of traffic, staff finds the reduced throat depth should have no negative impacts. Additionally, staff can support the reduction of the departure distance to the Pebble Road driveway since the potential of vehicles staking in the right-of-way is reduced by the driveway being egress only.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation of cooling systems that consumptively use water will be prohibited; 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 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW-21-19839
- Full off-site improvements;
- Right-of-way dedication to include an additional 5 feet to the back of curb for Decatur Boulevard, an additional 5 feet to the back of sidewalk Pebble Road, and associated spandrel;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project;

- 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 and the Decatur Boulevard improvement project:
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger and the Decatur Boulevard improvement project.
- 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.

Fire Prevention Bureau

- Provide access to all points of the building within 250 feet, or 250 feet if sprinklered.

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 #0044-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DESTINY HOMES, LLC

CONTACT: DON BURNETTE, 12125 LOS ARROYOS CT., LAS VEGAS, NV 89138



LAND USE APPLICATION

10A

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 checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>(ORIGINAL APPLICATION #)</u> <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <u>(ORIGINAL APPLICATION #)</u> <input type="checkbox"/> APPLICATION REVIEW (AR) <u>(ORIGINAL APPLICATION #)</u>	STAFF APP. NUMBER: <u>UC-22-0034</u> DATE FILED: <u>1/25/22</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2/23/22</u> PC MEETING DATE: <u>3/15/22</u> BCC MEETING DATE: _____ FEE: <u>\$1,825</u>
	PROPERTY OWNER NAME: <u>Destiny Homes LLC</u> ADDRESS: <u>2305 Diamondback Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>(702) 338-0792</u> CELL: <u>(702) 338-0792</u> E-MAIL: <u>gus@destinyhomesllc.com</u>
	APPLICANT NAME: <u>Destiny Homes LLC</u> ADDRESS: <u>2305 Diamondback Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>(702) 388-0792</u> CELL: <u>(702) 388-0792</u> E-MAIL: <u>gus@destinyhomesllc.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Don Burnette</u> ADDRESS: <u>12125 Los Arroyos Ct.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>N/A</u> CELL: <u>(702) 806-0804</u> E-MAIL: <u>dgburnette6@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-19-101-001

PROPERTY ADDRESS and/or CROSS STREETS: S. Decatur Blvd./W. Pebble Rd.

PROJECT DESCRIPTION: Mini-Warehouse (UC & WS) with sign and lighting packages (DR)

(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.

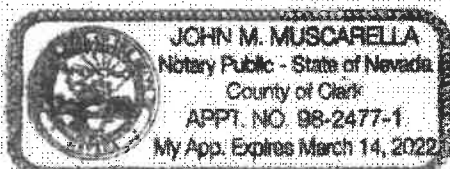
Chassan G. Misherfi
Property Owner (Signature)*

GHASSAN G. MISHERFI
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 9/1/2021 (DATE)
by GHASSAN G. MISHERFI

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

January 6, 2022

Current Planning Division
Department of Comprehensive Planning
500 Grand Central Pkwy
Las Vegas, Nevada 89155-1841

UC-22-0034

Re: REVISED - Justification Letter for Destiny Homes' Use Permit, Waiver of Development Standards, and Design Review application; Assessor's Parcel Numbers:177-19-101-001

To Whom It May Concern:

This justification letter is submitted on behalf of Destiny Homes for a use-permit, waiver of development standards and design review (alternative landscape design, lighting and signage) for a proposed mini-warehouse to be located on the southeast corner of Decatur Blvd. and Pebble Road.

The proposed 63,360 sf mini-warehouse will be located on .81 acres of undeveloped land that is currently zoned C-1 and is surrounded by undeveloped and developed commercial and residential properties. The proposed mini-warehouse structure will include 3 above ground floors and a basement floor. A total of 576 storage units are planned for the building, ranging in size from 5 ft x 5 ft safe units to approximately 11 ft x 20 ft units. This project does not include any exterior storage.

The building will have an overall height of 33 feet, with the exception of the northwest corner (the main entrance of the building) which will have a total of 60 linear feet (35 linear feet along the north face and 25 linear feet along the west face) at 35 feet in height. The increase to 35 feet in height on the northwest corner of the building is intended to compliment the aesthetics of the building.

Vehicular traffic on-site will be one-way with vehicles entering from Decatur Blvd. and exiting on Pebble Road. The Applicant proposes to construct a center median on Pebble Road to force right hand turn movements on to Pebble Road from the site. The site plan includes 8 total on-site parking spaces (6 regular and 2 accessible) and a 27.20 foot drive aisle; both of which exceed County Code requirements.

The building façade will be enhanced by wood exterior panel cladding at the main upper corner of the northwest main entrance, multi-colored two-toned stucco exterior walls with vertical and horizontal reveals, architectural stucco extrusions at various depths on each elevation, and tinted reflective glass visible from Pebble Road and Decatur Blvd.

The land-use application includes several requested waivers of development standards. The first requested waiver is to allow the driveway on Pebble Road to be 9.47 feet from the intersection where 190 feet is required. Given the unique configuration of this parcel, the Applicant is unable to meet the requirements of the Code. In requesting this waiver, the Applicant believes the one-way vehicular traffic on-site with the forced right-hand turn movements on to Pebble Road, will mitigate the impacts of the significantly reduced distance separation from the intersection.

The second waiver is for 3.19 feet of throat depth on the Decatur Blvd driveway and a 5.53 feet of throat depth on the Pebble Road driveway; in both cases the minimum throat depth requirement is 25 feet. While the unique configuration of the parcel creates real challenges with respect to meeting throat depth requirements, the Applicant believes the minimal vehicular traffic associated with mini-warehouses along with the one-way on-site vehicular movement from Decatur Blvd to Pebble Road will mitigate any possible impacts associated with the proposed throat depth reductions.

The third waiver request is for a trash enclosure setback varying from 6 feet to 9 feet, where 10 feet is required.

The final waiver request relates to landscape requirements for adjacent, less intensive use as specified under Table 30.64-2. The Applicant respectfully requests a waiver of landscaping requirements on the east side of the parcel. The parcel to the east (APN 177-19-101-013) is zoned R-E with planned land-use of RS, and has a Creative Kids day care facility located on-site. The Creative Kids day care facility has mature trees running the length of the property. In requesting a landscaping waiver along the eastern property line, the Applicant believes this will improve our ability to keep this area clean, and avoid trash and debris from collecting and ultimately blowing on to the adjoining parcel. Furthermore, the landscaping waiver along the eastern property line will allow mini-warehouse staff to better monitor this area for unauthorized access, thus improving safety for the adjoining property.

The Design Review covers alternative landscape design, signage and lighting. The alternative landscape design would be for more intense landscape along the south boundary and surrounding the trash enclosure to compensate for required landscaping adjacent to the parking spaces on the north side of the property (per CCC Section 30.64-14).

As for the signage, two wall signs are proposed on the west face of the building while one wall sign is proposed on the north face of the building. The building elevations show the sign locations and dimensions. Each sign will be 59.51SF (4.4' x 13.5). The combined area of the signs on the west elevation is 119.02 SF (4.4'x13.5' x2) whereas the allowable area is 220 SF. The area of the wall sign on the north elevation is 59.51SF whereas the allowable area is 158.4 SF. The proposed wall signs meet Code requirements under Title 30.72 Table 30.72-1: On-Premises Signs. Each of the three building wall signs will be backlit and will not increase ambient luminance at 150' distance from the light by more the 0.3 foot candles per County Code Chapter 30.72.040. No other signs are proposed.

The proposed lighting locations are shown on the electrical site plan. The west and the north face of the building will have a total of 5 cantilever, directional light fixtures (4 on the west and 1 on the north) each with a 73.2 watt LED light, while the east and south face of the building will have 7 cantilever, directional light fixtures (5 on the east and 2 on the south) each with a 13.3 watt LED light.

I appreciate your consideration of this application and respectfully request your recommended approval of the project as submitted. Please call me at (702) 606-0804 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald G. Burnette". The signature is stylized and cursive.

Donald G. Burnette
Burnette Consulting

03/15/22 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

JONES BLVD/WARM SPRINGS RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0039-ARBY JONES 402 LLC & RAINS 1992 TRUST:

VACATE AND ABANDON a portion of a right-of-way being Jones Boulevard located between Warm Springs Road and Arby Avenue within Enterprise (description on file). MN/al/jo. (For possible action)

RELATED INFORMATION:

APN:
176-01-401-005

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description

The applicant is proposing to develop the site as an overflow parking lot and secure parking area in conjunction with an existing motorcycle, ATV, and watercraft sales and repair facility on the adjacent parcel to the south. The request is to vacate a 5 foot wide portion of Jones Boulevard adjacent to the site to allow for a detached sidewalk along the street.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1252-99	Reclassified 5 acres, which included this site, to a C-2 zone for a shopping center	Approved by BCC	September 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2	Undeveloped
South	Business Employment	C-2	Motorcycle, ATV, and watercraft sales & repair facility
East	Public Use	P-F	Las Vegas Valley Water District water storage facility
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
WS-22-0038	An overflow parking lot and secure parking area with waivers for landscaping, trash enclosure, and parking lot striping 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 right-of-way that is not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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 2 years of the approval date or the application will expire.

Public Works - Development Review

- The vacation shall taper from zero feet on the south to 5 feet on the north to accommodate striping from the south, adjacent to APN 176-01-410-004, north to the physical back of curb at a distance of 45 feet from the street centerline;
- 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 the recordation of this vacation of excess right-of-way 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: ARBY JONES 402 LLC & RAINS 1992 TRUST

CONTACT: VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146

DRAFT



VACATION APPLICATION

11A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0039</u>	DATE FILED: <u>1-26-22</u>
		<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Entire parcel</u> PC MEETING DATE: <u>3-15-22</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$ 875.00</u>

PROPERTY OWNER	NAME: <u>SOUTH JONES 215 LLC</u>
	ADDRESS: <u>359 EAST RIVERSIDE DRIVE, SUITE D</u>
	CITY: <u>ST. GEORGE</u> STATE: <u>UTAH</u> ZIP: <u>94790</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>SOUTH JONES 215 LLC</u>
	ADDRESS: <u>359 EAST RIVERSIDE DRIVE, SUITE D</u>
	CITY: <u>ST. GEORGE</u> STATE: <u>UTAH</u> ZIP: <u>94790</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>VTN-NEVADA c/o Jeffrey Armstrong</u>
	ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89146</u>
	TELEPHONE: <u>(702)873-7550</u> CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-01-410-004

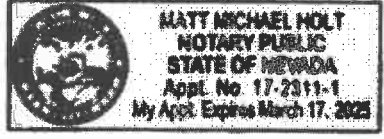
PROPERTY ADDRESS and/or CROSS STREETS: ARBY AVENUE & JONES BOULEVARD

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



 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 03/16/2021 (DATE)
 By _____
 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.

APR. 21-100398



March 25, 2021, Revised: 8/30/2021, Revised: 10/05/2021, Revised 12/02/201
W.O. 8079

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

Subject: Justification Letter for:
1. **Design Review**
2. **Waiver of Development Standards**
3. **Vacation of Public Right of Way**

APN #176-01-401-005

Planning Department,

On behalf of our clients Arby Jones 4 02 LLC, and South Jones 215 LLC, VTN Nevada is requesting the approval of the following land use cases:

1. Design Review for a proposed secured parking area.
2. Design review to allow for grading over 18 inches up to 2.56' and increased screen wall up to 10 feet high.
3. Waiver of Development Standards
4. Vacation of Public Right of Way.

The proposed property is located south of Arby Avenue and East of Jones Boulevard, APN #176-01-401-005, and is with the Enterprise Township, and in Commissioner Michael Naft's District.

Design Review

Request # 1:

South Jones 215 LLC (the applicant) is intending to develop the southern portion of APN 176-01-401-005 on an existing 2.11 +/- acre of land for a proposed secured parking area to be used in conjunction with the existing Yamaha facility.

The proposed improvement will be limited to onsite parking area, pavement and perimeter blocks wall around the storage area. There will be exterior landscaping proposed along the property frontage of Jones Boulevard.

Request # 2:

The applicant is also requesting to construct a 10-foot screen wall around the entire secured parking area. No habitable structures are proposed as a part of this application.

Waiver of Development Standards

Request # 1:

The applicant is requesting a waiver to Title 30.60.020.d requirement for all parking areas to be paved and stripped. The applicant's position is that the proposed parking area is mainly for the security of the vehicles and associated products from public viewing, therefore the required stripping is not necessary. This request is due to the precious break-in and theft of several ATV's totaling more than \$30,000.00 from the facility several years ago, prompting this request to secure the facility. The parking area will be paved.

Request # 2:

The applicant is also requesting a waiver to Title 30.64-14 requirement to provide landscaping within the secured parking area. This request in conjunction to the request to waive the stripping requirement of Title 30.60.020.d is due to the applicant's position that the proposed parking area is mainly for the security of vehicles and associated equipment from public viewing. The secured parking area will be mainly utilized by employees for the protection of the equipment. There will be no public viewing in this area and providing landscaping per Title 30.64-14 without parking stripping seems unneeded.

Request # 3:

The applicant is requesting to waive the requirement to provide trash enclosures. It is the applicant's position that the trash enclosure is not needed for this site. The proposed secure parking area will not generate any trash, since it's only for the storage of ATV's and associated equipment. Any trash generated on the site will be mainly from the Yamaha facility to the south which have existing trash disposal facilities.

Vacation

Request:

The applicant is requesting to vacate 5 feet of public right of way along the property frontage on Jones Boulevard. The applicant is proposing to dedicate 45 feet of right of way, with a 15-foot landscaping buffer are which include 5 feet of landscaping, a 5-foot detached sidewalk and 5-feet of landscaping buffer with will match the current right of way street section for Jones Boulevard.

DOCUMENT NUMBER: BOOK 20030313, INST. NO. 01532
APN: 176-01-499-008

We thank you in advance for your time and consideration. If you have any questions or comments please feel free to contact me at 702-873-7550.

Sincerely,
VTN Nevada

Jeffrey Armstrong
Planning Manager

cc: Russell Key, South Jones 215 LLC
Ken Nicholson, VTN

03/15/22 PC AGENDA SHEET

PARKING LOT
(TITLE 30)

JONES BLVD/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0038-ARBY JONES 402 LLC & RAINS 1992 TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) trash enclosure requirements; 2) eliminate parking space striping within a secure parking area; 3) eliminate parking lot landscaping within a secure parking area; and 4) alternative landscape within a parking lot (overflow parking lot).

DESIGN REVIEW for a parking lot and secure parking area on a portion of 2.1 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Jones Boulevard, 625 feet north of Warm Springs Road within Enterprise. MN/al/xx (For possible action)

RELATED INFORMATION:

APN:

176-01-401-005 ptn

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.1 (portion)
- Project Type: Parking lot and secure parking area
- Wall Height (feet): 10
- Parking Required/Provided: 0/27

Site Plans

The applicant is proposing to develop a portion of the subject property as a parking lot and a separate secure parking area in conjunction with an existing motorcycle, ATV, and watercraft sales and repair facility on the adjacent parcel to the south. The secure parking area will be for the parking and storage of inventory for the sales facility, and the parking lot will also be for overflow parking for customers and employees. The plans show an existing 8 foot high block wall along the eastern property line to secure an existing water storage facility. The secure parking area consists of the eastern two-thirds of the subject property and the plans show a 10 foot high decorative block wall will be constructed along the northern and southern property

lines of the site, and along the western boundary of the secure storage area, which is set back approximately 78 feet from Jones Boulevard. A gate will be located along the south property line for access to the secure storage area from the dealership. The plans show the southern half of this walled in area will be paved for the secure parking area and a chain-link fence will be located along the north side of the paved area to prevent access to the unimproved northern portion of this walled in area. The plan indicates the northern portion of the walled in area will be paved at a future date when needed. The waiver to not stripe parking spaces is for the secure parking area to allow greater flexibility for parking inventory. The applicant is also requesting to waive parking lot landscaping within the secure parking area to allow greater flexibility for parking inventory. The overflow parking area is located on the southern half of the western one-third of the property, and with the exception of a landscape area along Jones Boulevard the northern half of this area will remain unimproved. The plan depicts 27 standard parking spaces will be provided for the overflow parking area. The applicant has submitted a request to vacate a 5 foot wide portion of Jones Boulevard adjacent to this site to be able to provide a detached sidewalk along the street with this project.

Landscaping

With the proposed vacation of a portion of Jones Boulevard, the plan depicts a minimum 20 foot wide landscape area with detached sidewalk located along Jones Boulevard. The plans depict a combination of trees, shrubs, and groundcover within this landscape area. The plan depicts additional landscape fingers and landscape islands within the overflow parking area. These areas will consist of trees, shrubs, and groundcover.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the secure parking area and overflow parking lot are in conjunction with an existing motorcycle, ATV, and watercraft dealership on the adjacent property to the south. A trash enclosure is not needed for this site because the overflow parking lot and secure parking area should not generate any trash. If there is any trash generated from this site it will be disposed of in the trash enclosure provide for the adjacent dealership. The secure parking area is needed to prevent the theft of inventory. The applicant states there have been thefts of over \$30,000 in inventory from the dealership in the past. The wall around the secure parking area will screen this area from the street and surrounding properties so landscaping within the area will not be visible and would not improve the appearance of the facility. Also, not providing landscaping or striping spaces in this area will allow for more flexibility for parking inventory. Landscaping will be provided along the street and within the overflow parking area which will help to mitigate the site from the existing residential development to the west across Jones Boulevard.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1252-99	Reclassified 5 acres, which included this site, to a C-2 zone for a shopping center	Approved by BCC	September 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2	Undeveloped
South	Business Employment	C-2	Motorcycle, ATV, and watercraft sales & repair facility
East	Public Use	P-F	Las Vegas Valley Water District water storage facility
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
VS-22-0039	A request to vacate and abandon a portion of Jones Boulevard is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The proposed facility is an overflow parking lot and secure parking area in conjunction with an existing motorcycle, ATV, and watercraft sales and repair facility. The proposed parking lots will not generate much trash for this site and any trash that is generated from this site can be disposed of at the adjacent dealership; therefore, staff does not object to waiving the required trash enclosure for the proposed parking lots. However, a trash enclosure will have to be provided with the development of any future building on this site.

Waiver of Development Standards #2

The parking within the secure parking area is for inventory in conjunction with the adjacent dealership. These are not required parking spaces and this area will not be used or visible to the general public; therefore, staff can support the request to waive the striping of parking spaces in this area.

Waivers of Development Standards #3 and #4

The applicant states the secure parking area will be utilized for the protection and parking of inventory. There will be no public viewing in this area and the applicant believes parking lot landscaping in this area is not needed. The adjacent parcel to the east of this site is a water storage facility for the Las Vegas Valley Water District. The facility consists of a large area surrounded by walls with little landscaping. To the northeast and farther east are distribution facilities with large, paved areas and little landscaping. Waiving the requirement for parking lot landscaping within the secure parking area would not be out of character for the area. Alternative parking lot landscaping is being proposed for the overflow parking area. The landscaping within the overflow parking area is similar to what has been provided for other commercial development in this area. However, since these other developments were constructed there have been changes to the landscaping standards within parking lots. Due to concerns for climate change, there has been a trend to provide more landscaping with development recently. A concern for staff is the visual impact of the proposed facility along the street and to the residential development to the west. Staff believes that providing an additional landscape area along the west side of the western wall of the secure parking area would help to mitigate the visual impacts of the facility to the residential development to the west and along the street, improve the appearance of the area, and help to mitigate the heat island effect within the urban area.

Design Review

The proposed use is an expansion of an existing motorcycle, ATV, and watercraft sales and repair facility on the adjacent parcel to the south. The facility is consistent and compatible with existing commercial and industrial developments in the area. With the additional landscape buffer as described above, staff can support the design review.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Install fencing, posts, and cables, or some other type of barrier at the northern ends of the paved portion of the secure parking area and the overflow parking lot to prevent vehicle access to the undeveloped portions of the lot;
- Provide a minimum 5 foot wide landscape area along the west side of the western wall of the secure parking area to consist of trees, shrubs, and groundcover to cover more than 50% of the landscape area when mature;
- 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 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Provide striping from the south, adjacent to APN 176-01-410-004, north to the physical back of curb at a distance of 45 feet from the street centerline.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- This site appears to have a dead end in excess of 150 feet, please ensure this is corrected or clarified prior to code review.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ARBY JONES 402 LLC & RAINS 1992 TRUST

CONTACT: VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146



LAND USE APPLICATION

12A

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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" 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 type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: SOUTH JONES 215 LLC ADDRESS: 359 EAST RIVERSIDE DRIVE, SUITE D CITY: ST. GEORGE STATE: UTAH ZIP: 84790 TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: SOUTH JONES 215 LLC ADDRESS: 359 EAST RIVERSIDE DRIVE, SUITE D CITY: ST. GEORGE STATE: UTAH ZIP: 84790 TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: VTN-NEVADA c/o: Jeffrey Armstrong ADDRESS: 2727 SOUTH RAINBOW BOULEVARD CITY: LAS VEGAS STATE: NV ZIP: 89146 TELEPHONE: (702)873-7550 CELL: _____ E-MAIL: jeffreya@vtinnv.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-01-401-005

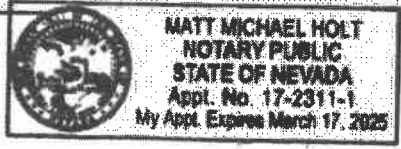
PROPERTY ADDRESS and/or CROSS STREETS: ARBY AVENUE & JONES BOULEVARD

PROJECT DESCRIPTION: A COMMERCIAL 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 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)*
Russell Key Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 9-2-2022 (DATE)
 By Russell Key
 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.



March 25, 2021, Revised: 8/30/2021, Revised: 10/05/2021, **Revised 12/02/201**
W.O. 8079

Clark County Comprehensive Planning

500 S. Grand Central Parkway
Las Vegas, NV 89155

Attention: Planning Department

Subject: Justification Letter for:
1. Design Review
2. Waiver of Development Standards
3. Vacation of Public Right of Way

APN #176-01-401-005

Planning Department,

On behalf of our clients Arby Jones 4 02 LLC, and South Jones 215 LLC, VTN Nevada is requesting the approval of the following land use cases:

1. Design Review for a proposed secured parking area.
2. Design review to allow for grading over 18 inches up to 2.56' and increased screen wall up to 10 feet high.
3. Waiver of Development Standards
4. Vacation of Public Right of Way.

The proposed property is located south of Arby Avenue and East of Jones Boulevard, APN #176-01-401-005, and is with the Enterprise Township, and in Commissioner Michael Naft's District.

Design Review

Request # 1:

South Jones 215 LLC (the applicant) is intending to develop the southern portion of APN 176-01-401-005 on an existing 2.11 +/- acre of land for a proposed secured parking area to be used in conjunction with the existing Yamaha facility.

The proposed improvement will be limited to onsite parking area, pavement and perimeter blocks wall around the storage area. There will be exterior landscaping proposed along the property frontage of Jones Boulevard.

Request # 2:

The applicant is also requesting to construct a 10-foot screen wall around the entire secured parking area. No habitable structures are proposed as a part of this application.

Waiver of Development Standards

Request # 1:

The applicant is requesting a waiver to Title 30.60.020.d requirement for all parking areas to be paved and stripped. The applicant's position is that the proposed parking area is mainly for the security of the vehicles and associated products from public viewing, therefore the required stripping is not necessary. This request is due to the precious break-in and theft of several ATV's totaling more than \$30,000.00 from the facility several years ago, prompting this request to secure the facility. The parking area will be paved.

Request # 2:

The applicant is also requesting a waiver to Title 30.64-14 requirement to provide landscaping within the secured parking area. This request in conjunction to the request to waive the stripping requirement of Title 30.60.020.d is due to the applicant's position that the proposed parking area is mainly for the security of vehicles and associated equipment from public viewing. The secured parking area will be mainly utilized by employees for the protection of the equipment. There will be no public viewing in this area and providing landscaping per Title 30.64-14 without parking stripping seems unneeded.

Request # 3:

The applicant is requesting to waive the requirement to provide trash enclosures. It is the applicant's position that the trash enclosure is not needed for this site. The proposed secure parking area will not generate any trash, since it's only for the storage of ATV's and associated equipment. Any trash generated on the site will be mainly from the Yamaha facility to the south which have existing trash disposal facilities.

Vacation

Request:

The applicant is requesting to vacate 5 feet of public right of way along the property frontage on Jones Boulevard. The applicant is proposing to dedicate 45 feet of right of way, with a 15-foot landscaping buffer are which include 5 feet of landscaping, a 5-foot detached sidewalk and 5-feet of landscaping buffer with will match the current right of way street section for Jones Boulevard.

DOCUMENT NUMBER: BOOK 20030313, INST. NO. 01532

APN: 176-01-499-008

We thank you in advance for your time and consideration. If you have any questions or comments please feel free to contact me at 702-873-7550.

Sincerely,
VTN Nevada

Jeffrey Armstrong
Planning Manager

cc. Russell Key, South Jones 215 LLC
Ken Nicholson, VTN

03/15/22 PC AGENDA SHEET

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/ERIE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0035-SOUTHERN HILLS MEDICAL CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS for increased wall sign area.

DESIGN REVIEW for a wall sign in conjunction with an emergency care facility on 3.7 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Las Vegas Boulevard South, 660 feet north of Erie Avenue within Enterprise. MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

177-33-201-008

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall sign area to 261 square feet where 50 square feet is permitted per Table 30.72-1 (a 402% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 10770 Las Vegas Boulevard South
- Site Acreage: 3.7
- Project Type: Signage
- Total Sign Area (square feet): 261 (wall sign)

Site Plans

The site plan depicts an emergency care facility located on the western portion of the site. Setbacks for the building are 130 feet from Las Vegas Boulevard South, approximately 90 feet from the north and south property lines, and 285 feet from the east property line along Giles Street. The facility is on the western portion of the site with 2 driveways on Las Vegas Boulevard South and future cross access shown to the north and south. An approximate 185 square foot wide portion of the eastern side of the site will remain undeveloped as a buffer for the adjacent single family residences. The plans submitted for the wall sign show the location along the western exterior facing Las Vegas Boulevard South.

Parking spaces are located between the building and Las Vegas Boulevard South and on the south side of the building. A drive aisle encircles the building with an emergency drop-off area on the west side of the building and an ambulance drop-off area on the east side of the building. A trash enclosure area is located on the north side of the building.

Landscaping

Landscaping is not a part of this application.

Signage

The plans depict a proposed wall sign that will exceed the maximum area allowed and will be 261 square feet in size. The wall sign will be constructed of illuminated cabinets and non-illuminated FCO lettering. The "ER" portion of the wall sign is painted red with pan channel logo letters, red LED internal illumination, red acrylic retainers, non-illuminated painted white wall mounted FCO letters, painted aqua blue backer with painted white pan channel letters with LED internal illumination, and white trim cap. The wall sign faces west towards Las Vegas Boulevard South and is facing away from the residential uses located to the east of the property or from any residential uses within the immediate area.

Applicant's Justification

The applicant states that the request for an increase in the wall sign is to allow for increased visibility from Las Vegas Boulevard South and for property identification as the building is set back approximately 135 feet from the street. Most of the surrounding properties are either zoned H-1 or H-2, where wall signs of this size are a common feature, and the applicant believes this request will not negatively impact any of the surrounding properties.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0170	Waiver with a design review for a freestanding animated sign	Approved by PC	June 2021
ZC-19-0183	Reclassified the site to C-P zoning for an emergency care facility	Approved by BCC	April 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-2	Undeveloped
South & West	Entertainment Mixed-Use	H-1	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

The regulations for signage are designed to maintain and enhance the aesthetic environment of the area. Staff finds that the proposed increase in the wall sign area for 261 square feet will not adversely impact the surrounding area. Although there is a single family residence located to the east of the parcel, the proposed wall sign will only face Las Vegas Boulevard South. In addition, those properties are zoned H-1 and H-2 where wall signs exceeding 50 square feet are allowed and have been approved for properties along Las Vegas Boulevard South. Staff finds the request for an increase in the maximum size will not have an adverse impact on the surrounding areas. The purpose of the request is to provide to the public better site identification for medical and emergency purposes along Las Vegas Boulevard South. Staff can support this request.

Design Review

The proposed mounted, animated wall sign is not anticipated to have any adverse impact to the surrounding areas since the wall sign is facing away from adjacent residential areas to the east. The sign incorporates proper lighting, materials, and lettering design. The design will not have negative impacts to the surrounding area with regard to glare due to the luminance standards required in Chapter 30.72; therefore, staff does not believe there will be an adverse impact to that development.

Staff Recommendation

Approval

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SOUTHERN HILLS MEDICAL CENTER, LLC

CONTACT: MICHAEL LEBLUE, YESCO, ATTN: MIKE LEBLUE, 5119 CAMERON STREET, LAS VEGAS, NV 89113

DRAFT



LAND USE APPLICATION 13A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

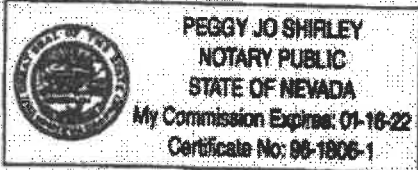
<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS-22-0035</u> DATE FILED: <u>1/25/22</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2/23/22</u></p> <p>PC MEETING DATE: <u>3/15/22</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$1,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>Southern Hills Hospital and Medical Center LLC</u></p> <p>ADDRESS: <u>9300 W. Sunset Road</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-916-9001</u> CELL: <u>702-556-2719</u></p> <p>E-MAIL: <u>alexis.mussi@hcahealthcare.com</u></p>
	APPLICANT	<p>NAME: <u>Southern Hills Hospital and Medical Center</u></p> <p>ADDRESS: <u>9300 W. Sunset Road</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-916-9001</u> CELL: <u>702-556-2719</u></p> <p>E-MAIL: <u>alexis.mussi@hcahealthcare.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Michael LeBlue</u></p> <p>ADDRESS: <u>5119 S. Cameron St</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-876-8080</u> CELL: <u>702-348-7414</u></p> <p>E-MAIL: <u>mleblue@yescocom</u> REF CONTACT ID #: <u>168828</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-33-201-008

PROPERTY ADDRESS and/or CROSS STREETS: 10770 S. Las Vegas Blvd

PROJECT DESCRIPTION: Waiver of Standards to allow for a large sign than what is allowed by code.

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.

<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>1/24/2022</u> (DATE) by <u>Alexis Mussi</u></p> <p>NOTARY PUBLIC: <u>Peggy Jo Shirley</u></p>	<p><u>Alexis Mussi</u> Property Owner (Print)</p>	
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*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.



Custom Electric Signs

November 31, 2021

Clark County
Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, Nevada 89106

RE: **Building Sign**
APN #177-33-201-008
ER at Las Vegas Blvd
10700 Las Vegas Blvd S
Las Vegas NV 89183

To Whom It May Concern:

Please accept this justification letter to request a Design Review and Waiver of Development Standards to allow a 261 square foot building sign where currently only a 50 square foot sign is allowed per elevation. The proposed change is to improve visibility and property identification as the current sign is very small and 135' off of LV Blvd.

Most of the surrounding properties are zoned H-1 and H-2 where a building sign this size would be allowed.

We thank you and appreciate your consideration of this request. If you should have any questions regarding this, please do not hesitate to contact me on my cell phone at 702-348-7414.

Sincerely,

Michael LeBlue
mlblue@yesco.com
702-348-7414

YESCO Las Vegas

702-876-8080 » Phone

702-944-4500 » Fax

5119 South Cameron Street
Las Vegas, Nevada 89118

yesco.com

03/16/22 BCC AGENDA SHEET

EASEMENTS & RIGHTS-OF-WAY
(TITLE 30)

FRIAS AVE/JONES BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400012 (VS-19-0889)-PN II, INC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for easements of interest to Clark County located between Jones Boulevard and Cascadia Creek Street (alignment), and between Haleh Avenue (alignment) and Frias Avenue (alignment) and a portion of a right-of-way being Jones Boulevard located between Haleh Avenue (alignment) and Frias Avenue (alignment) within Enterprise (description on file). JJ/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

176-25-301-010 through 176-25-301-012; 176-25-301-025 through 176-25-301-026

LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD

BACKGROUND:

Project Description

The previously approved plans depict the vacation and abandonment of government patent easements and right-of-way. Patent easements to be vacated include 33 foot wide and 3 foot wide easements around 2 parcels in the northwest portion of the overall site, two, 30 foot wide easements (60 foot wide total) on either side of the Red Rock Street alignment, and two, 30 foot wide easements (60 foot wide total) on either side of the Duneville Street alignment. Right-of-way to be vacated includes two, 5 foot wide portions of the east side of Jones Boulevard. Vacating the patent easements is necessary for the proposed single family subdivision and vacating the portion of Jones Boulevard will accommodate detached sidewalks.

For this current request, the applicant indicates that the development is going through agency reviews with the improvement plans and final map. The subject vacation is conditioned to record concurrent with the final map which is scheduled to record April 2022 after the vacation expires. The applicant is requesting a 1 year extension to continue making progress on this project.

Previous Conditions of Approval

Listed below are the approved conditions for VS-19-0889:

Current Planning

- Satisfy utility companies' requirements.

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

Public Works - Development Review

- Right-of-way dedication to include 30 to 60 feet for Frias Avenue, 30 feet for Haleh Avenue, and the associated spandrels;
- If required by the Regional Transportation Commission, construct a standard bus turnout on the east side of Jones Boulevard, north of and as close as practical to Frias Avenue and include a 5 foot by 25 foot bus shelter pad easement behind the sidewalk;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0889	Vacated and abandoned easements and portion of a right-of-way located between Jones Boulevard and Haleh Avenue and Frias Avenue	Approved by BCC	January 2020
ZC-19-0891	Reclassified 45.7 acres from R-E to R-2 zoning	Approved by BCC	January 2020
TM-19-500238	222 residential lots and common lots on 45.7 acres in R-2 zoning	Approved by BCC	January 2020
ZC-19-0743	Reclassified from R-E to R-2 zoning	Approved by BCC	November 2019
VS-19-0744	Vacated and abandoned easements and portion of a right-of-way located between Jones Boulevard and Duneville Street and Rush Avenue and Redwood Street	Approved by BCC	November 2019
TM-19-500194	162 single family lots and common lots on 59.1 acres in R-E zoning	Approved by BCC	November 2019
ZC-0362-04	Reclassified the western portion of this site to R-3 zoning for a future residential development, and an adjacent area to the south of the subject site to RUD	Approved by BCC	May 2004
UC-0497-01	Overhead power transmission line corridor that passes through a portion of this site	Approved by PC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-E, R-2, & R-3	Single family residential & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Approved 162 lot single family residential subdivision, single family residential, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

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.

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 record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions;
- Coordinate with Public Works, Kaizad Yazdani for right-of-way and easement dedications necessary for the Jones Boulevard Phase II improvement project;
- Dedicate any right-of-way and easements necessary for the Jones Boulevard Phase II improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the Jones Boulevard Phase II improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Jones Boulevard Phase II improvement project.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PN II, INC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE, SUITE 100, LAS VEGAS, NV 89118



VACATION APPLICATION 14A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): <u>VS-19-0889</u>	DEPARTMENT USE	APP. NUMBER: <u>ET-22-400012</u> DATE FILED: <u>1/25/22</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>2/23/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/16/22</u> <u>6pm</u> FEE: <u>\$300</u>
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PROPERTY OWNER	NAME: <u>PN II, Inc.</u> ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-914-8400</u> CELL: _____ E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u>
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APPLICANT	NAME: <u>PN II, Inc.</u> ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-914-8400</u> CELL: _____ E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5740 S. Arville St., Suite 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: <u>132024</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-25-301-010; -011; -012; -025 & 026

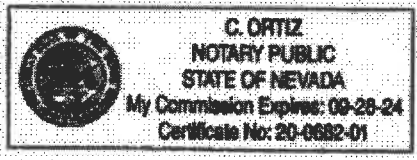
PROPERTY ADDRESS and/or CROSS STREETS: Jones/Haleh

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.

B. Anderson
 Property Owner (Signature)*

Brenin Anderson
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 12/10/21 (DATE)
 by Brenin Anderson
 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.

ER-22-400012

PUL2107

December 7, 2021

Clark County Planning
500 Grand Central Pkwy.
Las Vegas, NV 89155

**Subject: Highlands Ranch Unit 29
Justification Letter for Vacation Extension of Time (VS-19-0889)
APN: 176-25-301-010; 176-25-301-011; 176-25-301-012; 176-25-301-025;
176-25-301-010**

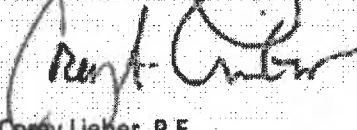
Dear Staff:

Westwood Professional Services, Inc., on behalf of our client, PN II, Inc., respectfully submits this justification letter with an application for an Extension of Time for the above referenced Vacation. The community is generally located at the intersection of S. Jones Boulevard and W. Haleh Avenue. The Assessor's Parcel Numbers for the proposed community are 176-25-301-010; 176-25-301-011; 176-25-301-012; 176-25-301-025; 176-25-301-010

The development is currently going through agency reviews with our Improvement Plans and Final Map. The subject Vacation is conditioned to record concurrent with our final map. Our final map is scheduled to record April 2022 which is after the Vacation expiration date. We are submitting a 1-year extension of time to allow enough time for the Vacation to record concurrent with the Final Map.

Please accept and approve this request and application for a Vacation Extension of Time.

Westwood Professional Services



Corey Lieber, P.E.
Project Manager

**PLANNER
COPY**

03/16/22 BCC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

HAVEN ST/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0036-TRACY INVESTMENTS, INC.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce on-site parking; **2)** off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving along streets); and **3)** increase wall height.

DESIGN REVIEWS for the following: **1)** finished grade; and **2)** new community building in conjunction with a place of worship on 4.3 acres in an R-E (Rural Estates Residential) (RNP-F) Zone.

Generally located on the east side of Haven Street, 300 feet north of Robindale Road within Enterprise. MN/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

177-09-202-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required parking to 107 parking spaces where 112 parking spaces per Table 30.60-1 is required (a 4% decrease).
2. a. Waive off-site improvements for Haven Street (curb, gutter, streetlights, sidewalk, and partial paving) where required per Section 30.52.040.
b. Waive off-site improvements for Rancho Destino Road (curb, gutter, streetlights, sidewalk, and partial paving) where required per Section 30.52.040.
3. Increase the height of a block wall to 12 feet (6 foot retaining and 6 foot screen) where a maximum height of 9 feet (3 foot retaining and 6 foot screen) is allowed per Section 30.64.050 (a 33% increase).

DESIGN REVIEWS:

1. Increase the finished grade for a place of worship to 57 inches (5 feet) where a maximum of 36 inches (3 feet) is the standard (a 58% increase) per chapter 30.32.
2. Community building in conjunction with an existing place of worship.

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 7640 Haven Street
- Site Acreage: 4.3
- Project Type: Place of worship
- Number of Stories: 2 (community hall)
- Building Height (feet): 22
- Square Feet: 5,090 (community hall)
- Parking Required/Provided: 112/107

Site Plan

The project site was previously approved for a place of worship by action of UC-0094-15 & WS-0553-17. Modifications are now proposed to the overall design of the site since the original approval for the place of worship. The site plan depicts a place of worship consisting of a 4,800 square foot assembly hall, a 5,090 square foot community hall, and a 1,250 square foot restroom building. Generally located on the southern portion of the lot, the proposed 2 story community hall is located southeast of the temple and east of the restroom building. Access to the project site is granted via a singular commercial driveway along Haven Street. An existing wash is located on the northern portion of the site that will remain undeveloped at this time. One hundred twelve parking spaces are required for the place of worship where 107 parking spaces are provided.

Landscaping

No changes are proposed. Landscaping is distributed throughout the site adjacent to the buildings and within the parking lot. The landscape materials include trees, shrubs, and groundcover.

Elevations

The plans depict a community building with a maximum height of 22 feet. The building is 2 stories and features a stucco exterior with parapet walls, decorative windows, exterior doors, cupolas, and decorative ornamental features along the roofline. All the buildings on-site are painted with neutral, earth tone colors.

Floor Plan

The community hall consists of 5,090 square feet including 2 floors. The first floor has a laundry room, storage room, office space, and dining area. The second floor consists of a museum and gallery, meeting rooms, clergy rooms, library, and clergy apartments.

Signage

Signage is not a part of this request.

Applicant's Justification

This application is being submitted for an addition of a community hall to an existing place of worship which was previously approved under applications UC-0094-15 & WS-0553-17. The applicant indicates, this proposed expansion/addition has been redesigned, located southeast of the temple, and consists of a 2 story assembly/community hall, expanded parking area, and other

accessory uses and structures in conjunction with the existing temple. A portion of the site (northern portion) is across an existing wash.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0034	Vacated and abandoned easements and portion of right-of-way between Eldorado Lane and Rancho Destino Road	Approved by PC	March 2019
WS-0553-17	Waiver for alternative landscaping and off-sites	Approved by BCC	August 2017
UC-0094-15 (ET-0046-17)	Extension of time for a place of worship with waivers for off-site improvements	Approved by BCC	August 2017
UC-0094-15	Place of worship with waivers for off-site improvements	Approved by BCC	April 2015
ZC-1026-05	Reclassified the subject site and surrounding area from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005
WS-0555-03	Allowed reduced lots size and waived off-site improvements for a single family residential development - expired	Approved by PC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Ranch Estate Neighborhood	R-E (RNP-I)	Undeveloped
South	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential
West	Entertainment Mixed-Use	H-I	Las Vegas Premium Outlets

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waivers of Development Standards #1 & #3

Staff believes that an increase to a 12 foot high block wall will have an adverse impact on surrounding properties to the south of the site, but the reduction of parking will not have a

negative impact on adjacent uses as many of the church attendees will use shuttle service. Staff can support the reduction in parking but not the increase in wall height.

Design Review #2

The immediate area is within the RNP land use category and within the Residential Neighborhood Preservation (RNP) Overlay District. The purpose of the Overlay District is to ensure that the character of rural and other residential development is preserved. Uses should have appropriate buffering and setbacks, screening, and an orderly and efficient transition of land uses. Staff finds that the design of this project provides appropriate setbacks and complies with the Master Plan which encourages site designs to be compatible with adjacent land uses, especially when the adjacent land use is a lower density or intensity. In addition, the proposed community building meets the height setback ratio per Figure 30.56-10. Staff finds that the site and proposed building addition have been designed with careful consideration given to the existing single family residential development to the south. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support this request to not install full off-site improvements on Haven Street and Rancho Destino Road. There are existing full improvements on the west side of Haven Street and on Rancho Destino Road, just north of Eldorado Lane. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians.

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

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:

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

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Division for the Blue Diamond Channel improvement project;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Channel improvement project;
- 30 days to submit a Separate Document to the Map Team for any necessary right-of-way dedications and any corresponding easements for the Blue Diamond Channel improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Blue Diamond Channel improvement project.
- 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

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

APPLICANT: BILL (BHUPINDER) BHATTI

**CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
89101**



LAND USE APPLICATION

15A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

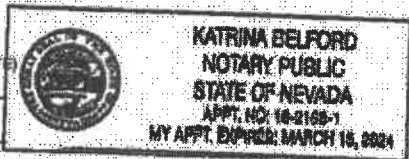
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0036</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/16/22</u> FEE: <u>\$1,150</u>	DATE FILED: <u>1/25/22</u> TAB/CAC DATE: <u>2/23/22</u> <u>6pm</u>
	PROPERTY OWNER NAME: <u>Tracy Investments Inc.</u> ADDRESS: <u>4375 E Craig Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u> TELEPHONE: <u>702-591-4482</u> CELL: <u>N/A</u> E-MAIL: <u>billbhatti@unitedbrothersnv.com</u>	
	APPLICANT NAME: <u>Bill (Bhupinder) Bhatti</u> ADDRESS: <u>7640 Haven Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-591-4482</u> CELL: <u>N/A</u> E-MAIL: <u>billbhatti@unitedbrothersnv.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-09-202-020
 PROPERTY ADDRESS and/or CROSS STREETS: Robindale Rd. and Haven Street
 PROJECT DESCRIPTION: Expansion to an existing place of worship

(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.

Bill (Bhupinder) Bhatti (Signature)
 Bill (Bhupinder) Bhatti (Print)
 Property Owner (Signature)*
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON Sept 13, 2021 (DATE)
 By Bill (Bhupinder) Bhatti
 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.

Brown, Brown & Premisriut

JAY H. BROWN
DAVID T. BROWN
PUDY K. PREMSRIUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
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TELEPHONE: (702) 384-5563
FACSMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

January 11, 2022

Clark County Comprehensive Planning
Current Planning Division
500 Grand Central Parkway
Las Vegas Nevada 89155

**PLANNER
COPY**

RE: Justification Letter Revision 4:

Waiver of Development Standards: Reduce on-site parking; Waive Off-Site Improvements (curbs, gutters, sidewalks, streetlights, and partial paving); Increase Wall Height and a Design Review for Additions/Expansions to an existing Place of Worship (Sikh Gurdwara Temple)

**Location: 7640 Haven Street: Haven Street north of Robindale Road
Assessors' Parcel Number: 177-09-202-020**

To Whom It May Concern:

On behalf of our Client, Tracy Investments, Inc, we respectfully submit this application package for expansions/additions (Assembly/Community Hall) to an existing place of worship (Sikh Gurdwara Temple) approved by action on UC-15-0094 & WS-17-0553). The site is zoned R-E and designated RNP in the Enterprise Land Use Plan. The parcel is 4.3 acres, located on the east side of Haven Street, west side of Rancho Destino Road and 300 feet north of Robindale Road. This proposed addition/expansion was previously approved by action of the waiver application with portions of the approval completed in conjunction with the Temple (restroom building, parking area, approved on-site and off-site improvements. The previously approved assembly/community hall which was not complete was located just east of the Temple. This proposed expansion/addition is redesigned and located southeast of the Temple and consists of a two-story Assembly/Community Hall, expanded parking area and other accessory/incidental uses and structures in conjunction with the existing Temple. A portion of the site (northern portion) is across an existing wash which is not developable at this time and will remain in its' natural state which enhances the overall site.

Project Description:

The proposed two-story Community Hall is located southeast of the Temple and east of the restroom building and is a total of 5,891 square feet and includes offices, clergy living quarters and rooms, kitchen, dining area, exhibition gallery, library, meeting rooms and other accessory areas. Patios are depicted on the north, east and west sides of the building with connecting

walkways to create courtyards that connect the building to the existing Temple and restroom building. The building is set back 18.7 feet with intense landscape landscaping on the south property line and seventy-five (75) feet from Rancho Destino Street along the east property line. A total of 107 parking spaces and one (1) motorcycle space are provided where a total of 112 parking spaces are required. The required number of bicycle spaces are provided. The trash enclosure and loading area are located northeast of the Temple and the subject Community Hall.

Landscaping:

The landscape plan depicts existing streetscape and landscaping provided along both Haven Street and Rancho Destino Road and along the south property adjacent to the south property line, within the existing parking areas as approved by the previous land use applications and parking areas added to accommodate the Community Hall. A minimum 15 foot wide intense landscape buffer is proposed adjacent to the building and along this portion of the south property line and comply with the required height setback ratio. The landscaping plan is enhanced and modified to comply or exceed Code requirements.

Floor Plan:

The first floor plan includes a kitchen with a dining area, accessory areas, storage, and office areas with a total of 4,720 square feet. The second floor includes offices, exhibition gallery, library, meeting rooms and other accessory areas with a total of 1,171 square feet including clergy living quarters consisting of eight (8) bedrooms.

Elevation:

The plans depict a building of up to twenty-two (22) feet in height to the top of the parapet for the two-story portion of the building. The design includes traditional arches, columns, design motifs to match the design of the existing Temple. The colors scheme and design features, and enhancements also match and complement the Temple.

Waiver of Development Standards:

- 1) Reduce the required parking to 107 parking spaces where 112 parking spaces are required.

Justification:

The proposed reduction in parking is a 4.5% reduction in parking which is minimal and will not impact the operations of the Temple because most families and visitors arrive at the Temple in one vehicle, which reduces the number of vehicles coming to the site at one time. Additionally, the Temple has a couple of shuttle vans that picks up and drops off members of the congregation to the site. The Temple and the Community Hall do not typically have events at the same time and if such events occur during prayer time and high/holy holiday/event times it is the same people arriving in the same vehicles and shuttles at the same time who are in both area the Temple and Community. This reduction is, therefore, minimal and will not impact parking for the site.

- 2) a) Waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving) along the street frontages along Haven Street Rancho Destino Road.
- b) Waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving) along the street frontages along Rancho Destino Road.

Justification:

The request is to maintain and be consistent with the rural street standards and character of the area. The same off-site improvements requested were previously approved by action on UC-15-0094 & WS-17-0553; and the Place of Worship (Sikh Gurdwara Temple) is already constructed. Therefore, both street frontages (Haven Street and Rancho Destino Road) are as approved by the previous application. This specific application is for an addition which was previously approved, therefore, the request is to maintain the off-sites as approved for the place of worship. The subject building will not impact the street frontage in the area. Public Works conditions for the previous approvals were also addressed with the permits of the Temple, this building is an accessory in conjunction with the Temple.

- 3) Increase the wall height along the south property line to twelve (12) feet (6 foot retaining wall and a 6 foot screen wall) where a maximum of nine (9) feet (3 foot retaining wall and 6 foot screen wall is allowed).

Justification:

This request is necessary to ensure compliance to the required height setback ratio for the proposed community building along a portion the south property line. The required setback along the south property line is 18.7 feet with a six foot high screen wall. The request for 12 feet is because of the 6 foot high retaining wall. An 18.7 foot set back with an intense landscape buffer is provided along this portion of the south property line to comply with Code requirements. The increased wall height will not impact the existing residences along the south property line because the highest portion of the wall is within subject site and along the south property. An additional five feet of landscaping provided adjacent to building and along this portion of the south property line will screen and buffer the building from the residences on this portion of the site. The second story portion of the building is stair stepped and is set back 33.7 feet from this portion of the south property line and complies to Code requirements. Therefore, this request will ensure compliance to the height setback requirements.

Design Reviews:

- 1) A proposed Community Hall with other accessory/incidental expansions/additions and to an existing Place of Worship (Sikh Gurdwara Temple).

Justification:

The proposed Community Hall is designed to match and complement the architectural elements, motifs, colors, fenestrations, and other elements of the existing Temple. The plans comply with

design elements as outlined in Title 30 and complements the Temple and site. The use and design are appropriate, complements and enhances the existing Temple site and immediate area.

- 2) Increase the finished floor elevation of the Assembly/Community Building up to fifty-seven (57) inches (4.8) feet where a maximum of thirty-six (36) inches is the standard.

Justification:

The increase in finished grade for the proposed building is necessary because the existing grade is uneven across the site and is lower in the area of the proposed building. Fill is necessary to increase the finished grade of the proposed to allow drainage into the adjacent streets. The finished grade of the proposed building will be minimized to the least allowable grade acceptable by the County to satisfy Clark County flood control requirements to control stormwater drainage patterns and discharge locations to conform to existing drainage conditions and facilities. There is no impact to the existing residences along the southern property line because the building is at the same elevation as the existing place of worship. The required Drainage Study will ultimately determine the finished grade of the site and proposed building.


The proposed application is appropriate and compatible with the existing uses in the area and complies with the general goals and policies outlined in the Comprehensive Plan for the redevelopment of an existing site to enhance and complement existing uses.

We appreciate your consideration in the review and positive recommendation for the proposed addition to the Temple site.

Please contact me at 702-598-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRUT


Lebene Ohene
Land Use and Development Consultant

