



Enterprise Town Advisory Board

Clark County Commission Chambers

500 South Grand Central Pkwy

Las Vegas, NV 89155

March 10, 2021

6:00pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- 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 and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to TLH@clarkcountynv.gov, before 04:00 pm, March 10, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

Board/Council Members: David Chestnut, Chair
Tanya Behm
Joseph Throneberry

Barris Kaiser, Vice Chair
Gabriela Everett

Secretary: Carmen Hayes, 702-371-7991 CHAYES70@yahoo.com

County Liaison(s): Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com

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.

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, Chair – JAMES B. GIBSON, Vice-Chair
JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
YOLANDA KING, County Manager

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to TLH@clarkcountynv.gov, before 04:00 pm, on February 24, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for February 24, 2021. (For possible action)
- IV. Approval of the Agenda for March 10, 2021 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)
- VI. Planning and Zoning
 - 1. **UC-20-0543-AFRIDI ROMMAN KHAN:**
USE PERMITS for the following: **1)** allow a communication tower; **2)** increased communication tower height; and **3)** reduced communication tower setback.
DESIGN REVIEW for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action) **03/02/21 PC**
 - 2. **NZC-21-0037-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce landscaping; **2)** reduce height/setback ratio; **3)** reduce parking; and **4)** alternative driveway geometrics.
DESIGN REVIEW for a commercial complex. Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jt/jd (For possible action) **04/06/21 PC**
 - 3. **NZC-21-0056-BIG TETON, LLC:**
ZONE CHANGE to reclassify 8.8 acres from R-E (Rural Estates Residential) Zone and H-1 (Limited Resort and Apartment) Zone to R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to reduce street intersection off-set.
DESIGN REVIEWS for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the southeast corner of Frias Avenue and Giles Street within Enterprise (description on file). MN/al/jd (For possible action) **04/06/21 PC**

4. **VS-21-0057-BIG TETON, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Frias Avenue and Cactus Avenue, and between Giles Street and Haven Street within Enterprise (description on file). MN/al/jd (For possible action) **04/06/21 PC**

5. **TM-21-500014-BIG TETON, LLC:**
TENTATIVE MAP consisting of 51 single family residential lots and common lots on 8.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southeast corner of Frias Avenue and Giles Street within Enterprise. MN/al/jd (For possible action) **04/06/21 PC**

6. **PA-20-700149-DOUBLE UP PROPERTIES, LLC:**
PLAN AMENDMENT to redesignate 1.2 acres from RS (Residential Suburban) to CN (Commercial Neighborhood) in the Enterprise Land Use Plan. Generally located on the south side of Silverado Ranch Boulevard, 840 feet west of Arville Street within Enterprise. JJ/pd (For possible action) **04/06/21 PC**

7. **ET-21-400014 (NZN-0601-15)-ROBINDALE & ASSOCIATES, LLC:**
ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 3.1 acres from R-E (Rural Estates Residential) Zone to M-D (Designed Manufacturing) Zone.
DESIGN REVIEWS for the following: **1)** a mini-warehouse facility; and **2)** recreational vehicle and boat storage. Generally located on the north side of Robindale Road, 1,250 feet west of Decatur Boulevard within Enterprise (description on file). MN/jgh/jd (For possible action) **04/07/21 BCC**

8. **WC-21-400012 (ZC-1198-07)-CHELSEI HOLDING, LLC:**
WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. MN/jt/jd (For possible action) **04/07/21 BCC**

9. **UC-21-0033-CHELSEI HOLDING, LLC:**
USE PERMITS for the following: **1)** multiple family residential development; **2)** retail; and **3)** project of regional significance.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; and **2)** non-standard improvements in the right-of-way.
DESIGN REVIEWS for the following: **1)** multiple family residential development with retail uses; and **2)** finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. MN/jt/jd (For possible action) **04/07/21 BCC**

10. **WS-21-0058-LAS VEGAS PAVER MFG, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced parking; **2)** eliminate mechanical equipment screening; and **3)** off-sites (streetlights and sidewalks).
DESIGN REVIEWS for the following: **1)** proposed light manufacturing building and **2)** increase finished grade in conjunction with an existing light manufacturing establishment (paver manufacturing) on 4.5 acres in a M-1 (Light Manufacturing) Zone. Generally located on the south side of Gomer Road, 292 feet east of Redwood Street within Enterprise. JJ/jor/jd (For possible action) **04/07/21 BCC**

VII. General Business

1. Discuss guidelines for making motions on Planning & Zoning items (for discussion).

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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to TLH@clarkcountynv.gov, before 4:00 pm, March 10, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: March 31, 2021 at 6:00 pm.

X. Adjournment.

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

Windmill Library -7060 W. Windmill Lane
Einstein Bros Bagels- 3837 Blue Diamond Rd.
Enterprise Library- 25 E. Shelbourne Ave.
Whole Foods Market- 6689 Las Vegas Blvd
<https://notice.nv.gov>



Enterprise Town Advisory Board

February 24, 2021

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Joseph Throneberry PRESENT	Barris Kaiser, Vice Chair PRESENT Gabriela Everett PRESENT
Secretary:	Carmen Hayes 702-371-7991 chaves70@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.

Lorna Phegley, Current Planning

II. Public Comment

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

- None.

III. Approval of February 10, 2021 Minutes (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for February 10, 2021.

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

IV. Approval of Agenda for February 24, 2021 and Hold, Combine or Delete Any Items (For possible action)

Motion by Barris Kaiser

Action: **APPROVE** as amended.

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

Applicant requested hold:

1. UC-20-0543-AFRIDI ROMMAN KHAN: The Applicant has requested a **HOLD** to Enterprise TAB meeting on March 10, 2021.
2. UC-20-0338-SANG TJIE GIOK: The Applicant has requested a **HOLD** to Enterprise TAB meeting on March 31, 2021.

Related applications to be heard together:

6. WC-21-400008 (ZC-2178-04)-GAMEDAY LLC:
7. VS-21-0026-GAMEDAY LLC:
8. WS-21-0025-GAMEDAY LLC:
9. TM-21-500005-GAMEDAY LLC:

V. Informational Items

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

- **Job Fair Statewide "Nevada's Virtual JoFair" on March 25 to Feature 50+ Employers Hiring Now NEVADA**

More than fifty employers from all over Nevada will join co-hosts Senator Catherine Cortez Mesto, Congresswoman Susie Lee, Washoe County Commissioner Alexis Hill, and Clark County Commissioner Justin Jones for "Nevada's Virtual Job Fair" on March 25, 2021, from 10 a.m. to 2 p.m. Job seekers can pre-register now at nvcareercenter.org/jobfair2021. The virtual job fair is free. However, registration is required to participate.

- **Neighborhood Meeting:**

PROJECT DESCRIPTION: Zone Change from OP/RNP to R-2 to allow construction of a gated, detached single-family subdivision on 7.5 acres.

Monday, March 1, 2021

Video/Teleconference Call via Zoom

Phone# 346-248-7799

Meeting ID: 966 7257 0593

Passcode: 467762

<https://zoom.us/j/96672570593?pwd=cUhEMUt2RWNLUXpDQ2dOdkdCUkhDdz09>

- **Neighborhood Meeting:**

Brief Summary A zone change and design review to C-2 zoning for a proposed non-gaming hotel with future commercial pad site with the foe.us of the meeting to discuss neighborhood consensus on the future of Conn Avenue and Giles Street (alignments) and the interface of the two streets with the proposed development.

Wednesday, March 3, 2021 Time: 5:30 PM
Meeting Location: ZOOM Virtual Meeting
<https://us02web.zoom.us/j/87072981963?pwd=bkliY1BYczRXRm5yYVVlQW5KaWIRdz09>
Meeting ID: 870 7298 1963 Passcode: 446701
Dial In option : +1346 248 7799 Meeting ID: 870 72981963 Passcode: 446701

• **Neighborhood Meeting:**

Brief Summary: Discuss a non-conforming zone change and design review to R-4 zoning for a proposed multiple family residential development.

Meeting Date: Thursday, March 4, 2021 Time: 5:30 PM
Meeting Location : ZOOM Virtual Meeting
<https://us02web.zoom.us/j/86772796823?pwd=U21HYzJmSTNzajAvMnJ6SlJlJV3BtQT09>
Meeting ID: 867 7279 6823 Passcode: Warmington
Note: The Zoom app may be downloaded on a smartphone device for free or you may visit <http://ljzoom.us> if the above link does not work and click on "Join a meeting" then enter the meeting ID and passcode
Dial In option: +1 346-248-7799 Meeting ID: 867 7279 6823 Passcode: 2591541053

• **Neighborhood Meeting:**

Brief Summary: A communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise.

Thu Mar 4, 2021 6:30pm – 7:30pm
Who: cwhitehead@atlastowers.com <<mailto:cwhitehead@atlastowers.com>> - organizer
Join Zoom Meeting
Meeting ID: 298 319 430
Password: 866681
<https://zoom.us/j/298319430?pwd=NTM2WnpFYVJSMjhVakoxWi9LMktFZz09>

VI. Planning & Zoning

1. **UC-20-0543-AFRIDI ROMMAN KHAN:**

USE PERMITS for the following: **1)** allow a communication tower; **2)** increased communication tower height; and **3)** reduced communication tower setback.

DESIGN REVIEW for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action) **03/02/21 PC**

The Applicant has requested a **HOLD** to Enterprise TAB meeting on March 10, 2021.

2. **UC-20-0338-SANG TJIE GIOK:**
USE PERMITS for the following: 1) place of worship; 2) increased height of a place of worship; and 3) increased height of a freestanding sign.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; 2) driveway geometrics; and 3) departure distance.
DESIGN REVIEW for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nr/jd (For possible action) **03/03/21 BCC**

The Applicant has requested a **HOLD** to Enterprise TAB meeting on March 31, 2021.

3. **ZC-20-0602-DIAMOND VALLEY VIEW LTD:**
ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) (AE-60) Zone and H-2 (General Highway Frontage) Zone to M-D (Designed Manufacturing) (AE-60) Zone.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.
DESIGN REVIEW for an office/warehouse facility. Generally located on the east side of Valley View Boulevard, 700 feet north of Blue Diamond Road within Enterprise (description on file). MN/al/jd (For possible action) **03/03/21 BCC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning condition:

- Design review as a public hearing for lighting and signage:
- Design review as a public hearing for significant change to plans.

Per staff conditions.

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

4. **VS-21-0030-SKID HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Gomer Road and between Durango Drive and Cimarron Road within Enterprise (description on file). JJ/jor/jd (For possible action) **03/16/21 PC**

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions.

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

5. **WS-21-0029-TAGGARD, RICHARD & E. LIV TR:**
WAIVER OF DEVELOPMENT STANDARDS to reduce lot area for existing parcels by modifying the boundary between 2 parcels on a 1.0 acre parcel in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Torino Avenue, 150 feet west of Bermuda Road within Enterprise. MN/al/jd (For possible action) **03/16/21 PC**

Motion by Joseph Throneberry

Action: **APPROVE** per staff conditions.

Motion **PASSED** (4-1) / Barris Kaiser -Nay

6. **WC-21-400008 (ZC-2178-04)-GAMEDAY LLC:**
WAIVERS OF CONDITIONS of a zone change requiring the following: 1) detached sidewalks in powerline easement areas; and 2) right-of-way dedication of 40 feet to 80 feet for Lindell Road, 30 feet to 60 feet for Frias Avenue terminating in a County approved turn-around, 30 feet to 60 feet for Edmond Street, and 30 feet for Haleh Avenue in conjunction with a single family residential development on 20.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Frias Avenue and the east side of Lindell Road within Enterprise. JJ/nr/jd (For possible action) **03/17/21 BCC**

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

7. **VS-21-0026-GAMEDAY LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and a portion of right-of-way being Lindell Road between Frias Avenue and Pyle Avenue within Enterprise (description on file). JJ/nr/jd (For possible action) **03/17/21 BCC**

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

8. **WS-21-0025-GAMEDAY LLC:**
WAIVER OF DEVELOPMENT STANDARDS for wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 20.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Lindell Road and the north side of Frias Avenue within Enterprise. JJ/nr/jd (For possible action) **03/17/21 BCC**

Motion by David Chestnut
Action:
APPROVE: Waiver of Development Standards except along Lindell Rd.
APPROVE: Design Reviews # 1 and 2
ADD Current Planning condition:

- Remove Nevada Energy easement from lots 23 and 24.

Per staff conditions.
Motion **PASSED** (5-0) /Unanimous

9. **TM-21-500005-GAMEDAY LLC:**
TENTATIVE MAP consisting of 96 single family residential lots and common lots on 20.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Lindell Road and the north side of Frias Avenue within Enterprise. JJ/nr/jd (For possible action) **03/17/21 BCC**

Motion by David Chestnut
Action: **APPROVE: Tentative map;**
ADD Current Planning condition:

- Remove Nevada Energy easement from lots 23 and 24.

Per staff conditions.
Motion **PASSED** (5-0) /Unanimous

VII. General Business:

1. None

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.

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- None.

IX. Next Meeting Date

The next regular meeting will be March 10, 2021 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut
ADJOURN meeting at 7:49 p.m.
Motion **PASSED** (5-0) /Unanimous

03/02/21 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

ELDORADO LN/HAVEN ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-20-0543-AFRIDI ROMMAN KHAN:

USE PERMITS for the following: 1) allow a communication tower; 2) increased communication tower height; and 3) reduced communication tower setback.

DESIGN REVIEW for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action)

RELATED INFORMATION:

APN:
177-09-202-018

USE PERMITS:

1. Allow a communication tower per Table 30.44-1.
2. Increase the overall communication tower height to 84 feet where 80 feet is the maximum height allowed per Table 30.44-1 (a 5% increase).
3. Reduce the communication tower setback to 54 feet where 88 feet is required per Table 30.44-1 (a 27% decrease)

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Communication tower
- Tower Height (feet): 84

Site Plan

The site plan depicts a proposed communication tower and associated ground lease equipment on the west half of the subject parcel. Access to the site is located along the west property line (Haven Street). The applicant is proposing a 12 foot wide access and utility easement along the

north property line, heading east towards the 35 foot by 70 foot fenced-in lease area with a proposed 84 foot high communication tower.

Per the site plan, the proposed communication tower setbacks are as follows:

- 54 feet, 8 inches from the north property line (near developed residential) where 88 feet is required.
- 240 feet from the east property line (near developed residential) where 168 feet is required.
- 596 feet, 5 inches from the south property line (closest developed residential) where 168 feet is required.
- 50 feet from the west property line where 40 feet is required from the right-of-way (Haven Street).

Landscaping

Landscaping is not a part of this request.

Elevations

The elevation plans show a proposed 80 foot high monopine with future antennas to be installed at the top half of the communication tower. The plans also show a 4 foot high lighting rod to be affixed at the very top of the tower and will be blended in with the faux branches. Lastly, the proposed screening around the lease area will be a 6 foot high wooden fence with metal support braces.

Floor Plans

The floor plans show the 3 future lease space ground equipment area north of the proposed communication tower. A 12 foot wide access gate is located on the northwest corner of the fenced in area, adjacent to the access easement along the north property line.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification, the applicant states that this project will provide better network coverage while minimizing any visual impact and reducing the need for additional cellular facilities in the area. The proposed communication tower will help the efforts to alleviate current mobile network voice, data, and emergency services connectivity issues in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0645	Communication tower, reduced setbacks, and design review for the proposed communication tower - expired	Held no date	November 2019
VS-18-1018	Vacated and abandoned government patent easements - recorded	Approved by PC	February 2019

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0053-10	Appealed an administrative application for an extension of time in lieu of an off-site permit in conjunction with a proposed residential development	Approved by BCC	March 2010
ET-400396-07 (WS-0732-06)	First extension of time to commence waiving full off-site improvements, including paving	Approved by BCC	January 2008
WS-0732-06	Waived full off-site improvements including paving	Approved by BCC	July 2006
ZC-1026-05	Reclassified approximately 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

*Additional land use applications have been approved on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Commercial Tourist	H-1	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

Communication towers may support the local area's need for additional telecommunication upgrades to improve current wireless and cellular connections. However, staff finds that the proposed communication tower is inappropriate for the neighborhood since the surrounding parcels to the north, east, and south are zoned R-E (Rural Estates Residential) and are within the Rural Neighborhood Preservation planned land use with an RNP-I Overlay District. The surrounding parcels are rural in character with no off-site improvements (curb, gutter, streetlights, and sidewalks), and some parcels to the south and southeast are still undeveloped. The proposed communication tower does not preserve the appeal and the integrity of the neighborhood; therefore, staff does not support this request.

Use Permit #2

The plans show that the height increase is due to the 4 foot high lightning rod hidden within the faux branches attached to the top of the proposed communication tower, which is typical for monopine communication towers and staff typically supports these types of requests. However, since staff does not support use permit #1 staff also cannot support this request.

Use Permit #3

Staff finds that the setback reduction is due to the size constraints of the overall site. The proposed communication tower is equidistant to the north and south property lines but 55 feet from the residential to the north. However, the submitted plans show that the tower does meet the setbacks to the nearest developed residences to the east (240 feet where 168 feet is required) and to the south (596 feet, 5 inches where 168 feet is required). The proposed communication tower also meets the setback from the right-of-way to the west (50 feet from Haven Street where 40 feet is required). However, since the tower does not meet the required setback to the north staff does not support use permit #1 and use permit #2, staff also cannot support this request.

Design Review

The plans show that the proposed communication tower has a monopine design and although the faux branches conceal the antennas, the proposed communication tower is a dominant structure against the existing residences and is not harmonious to the neighborhood. Since staff does not support the use permits, staff also cannot support the design review.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; 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.

Department of Aviation

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: CORNELIUS WHITEHEAD

CONTACT: CORNELIUS WHITEHEAD, ATLAS TOWERS, 3002 BLUFF STREET, SUITE 300, BOULDER, CO 80301



LAND USE APPLICATION

PLANNER COPY 1AR

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"/> 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>UC-20-0543</u> DATE FILED: <u>12/3/20</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>1/13/2021</u> PC MEETING DATE: <u>2/2/2021</u> BCC MEETING DATE: _____ FEE: <u>\$1,825</u>
	PROPERTY OWNER NAME: <u>Romman Afridi Khan</u> ADDRESS: <u>7701 W Robindale Road #236</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-481-7700</u> CELL: _____ E-MAIL: <u>rka0@msn.</u>
	APPLICANT NAME: <u>Atlas Tower 1, LLC</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Cornelius Whitehead</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-09-202-018

PROPERTY ADDRESS and/or CROSS STREETS: South of E Eldorado Lane & Haven Street

PROJECT DESCRIPTION: 80' Stealth Mono-Pine Cell Tower with 4' lighting rod hidden within faux branches (84' total height)

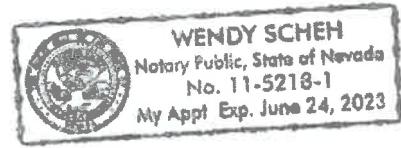
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code that the information on the attached legal description, all plans and drawings 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 11/22/2020 (DATE)
 By Romman Khan Afridi
 NOTARY PUBLIC: Wendy Scheh



*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.

ATLAS TOWER

Justification & Zoning Narrative Letter – “LV Outlet”

Thursday, January 21, 2021

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

REVISED JL
UC-20-0543
1/21/2021 -jor

To Whom It May Concern:

Atlas Tower 1, LLC is submitting a Special Use Permit, Waiver of Development Standards and Design Review Application to Clark County Comprehensive Planning Department to review for a proposed telecommunications facility build on the property of south of E Eldorado lane & Haven Street Las Vegas, NV (Parcel Number: 177-09-202-018). This letter shall serve as justification for the proposed 84' mono-pine with 4-foot lighting rod telecommunications location and how this project will provide the best mobile network coverage while minimizing any visual impacts and reducing the need for additional cellular facilities in the future. This project is being proposed and this justification is being provided in an effort to alleviate current mobile network voice, data, and emergency services connectivity issues in an area that is severely lacking reliable network coverage and capacity.

SITE DETAILS

Land Owner:

Romman Khan Afridi
7701 W Robindale Road #236
Las Vegas, NV 89113

Site Address/ Parcel ID:

177-09-202-018
South of E Eldorado lane & Haven Street Las Vegas, NV

Applicant:

Atlas Tower 1, LLC
3002 Bluff St., Suite 300
Boulder, CO 80301

Coordinates:

N36°03'08.19"
W115°10'01.10"

Zoning:

Rural Estates Residential (R-E)

Lease Area:

35' x 70' (2,450 sq. ft)

PROPOSAL SUMMARY & REQUEST

The purpose of this request is to build an 84' Mono-pine stealth telecommunications tower within a fenced 35' x 70' (2,450 sq. ft.) wireless facility. This facility will provide critical wireless coverage to the surrounding area. The proposed site is an area with close proximity to high density commercial units as well as medium residential areas where there is very spotty coverage and the capacity of the existing infrastructure is reaching its limit. As the area develops further, and the users demand more data for their current and future devices, existing infrastructure will reach capacity limits and be unable to meet coverage needs. This tower and facility will be used for structural support of up to three wireless providers. Each provider will install antennas and on-the-ground base-station equipment. Applicant respectfully requests the following:

1. Use Permit to allow a Communication Tower.
2. Use Permit to increase the total tower height to 84 feet where 80 feet is the maximum.
3. Use Permit to reduce the tower setback to 54 feet where 88 feet is required
4. Design Review for a communication tower and ground level amenities.

Our mobile network carrier partners strive to provide excellent wireless service for their users with a network of telecommunications facilities that allows cellular users to reliably place and receive mobile-phone calls as well as utilize data and first responder emergency services. This facility will provide critical wireless coverage to the surrounding area, which is currently underserved. As the area develops further

and the existing users demand more data for their existing devices, existing infrastructure will continue to hit capacity limits and be unable to meet mobile service coverage needs and demands.

The performance of a carrier's network consists mainly of two factors: coverage and capacity. Coverage can be thought of as the strength of a wireless signal in a given area. Capacity can be thought of as the ability of the wireless network to handle the amount of voice and data demands placed upon it. Increasing the coverage and capacity capabilities in any given area requires the development of a new telecommunications facilities that can house multiple antennas and is near mobile network users.

Cellular design has evolved so that cell sites located near high traffic or high populations areas are favored. These sites closer to population centers provide faster and more reliable service which ultimately results in fewer dropped calls and call failures for the community. This tower and facility will be used for structural support of up to three wireless providers. Each provider will install antennas that are completely hidden within the mono-pine design and have on-the-ground base-station equipment in order to provide solid coverage.

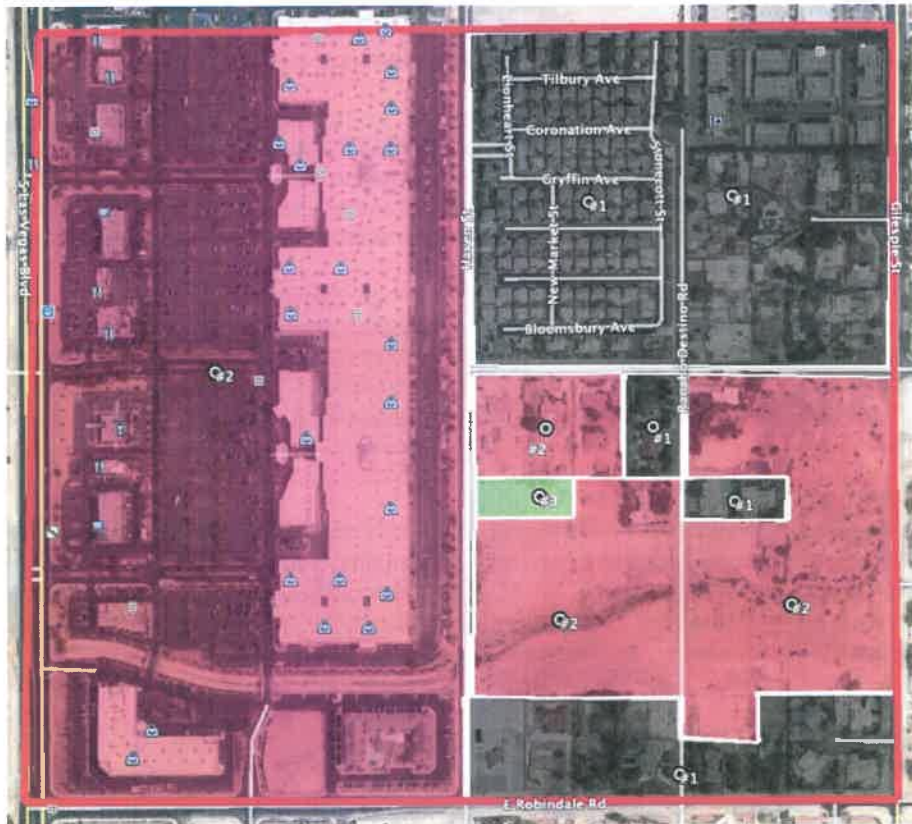
PROXIMITY REQUIREMENTS:

There are no existing structures in the nearby area that would be able to provide enough height in order to achieve satisfactory cellular service to the nearby community, therefore, this telecommunications facility needs to have a line-of-sight as well as close proximity to the nearby roads, offices, and homes where cellular users work and reside. In order to provide the best coverage to the community, Atlas Tower identified property owners within the search ring below based on the following qualifications:

Site Qualifications:

1. Owners are in an area where our carrier partners (AT&T, Dish Network, T-Mobile, and Verizon) are experiencing network problems. This is shown as the large red "Search Area" depicted below.
2. Properties that are zoned appropriately for this type of project according to the City of Draper zoning code.
3. Properties that have enough space to physically host this project.

With those qualifications in mind, Atlas Tower reached out to the below properties and have documented all responses below.



#1 (BLACK): These site locations were not considered for this project due to small property sizes and lack of available space.

#2 (RED): Atlas Tower sent out project proposal letters to property owners, however owners elected not to pursue.

#3 (GREEN): Proposed new site location at south of E Eldorado lane & Haven Street Las Vegas, NV (Parcel Number: 177-09-202-018). As noted above, Atlas Tower provided this project opportunity to all property owners that fit the needs for this project within the search area by sending proposal letters. This proposed property has the only willing owner for this project within the search area. Atlas Tower was able to enter into a Lease Agreement property and is proposing to place the communications facility here.

EXISTING AND FUTURE NEED:

The existing infrastructure surrounding the proposed facility is not currently meeting our carrier's goals for excellent coverage, especially in-building coverage or user expectations. Network performance will continue to decrease as time goes on unless the wireless infrastructure is expanded. If the network issues are not addressed, the network will eventually reach a point of non-functionality. This project has the physical capacity to host up to three independent mobile network carrier antennas in order to account for the needs of multiple carriers while reducing the need for additional facilities within the nearby area.

PUBLIC SAFETY:

An unreliable network can be a safety risk as it is becoming increasingly common for emergency calls to be made by cellular phones because many people are getting rid of traditional landlines. According to National Emergency Number Association (NENA), over 80% of all 9-1-1 emergency calls are made by wireless mobile devices. If cell-phone calls are severely degraded, it can be difficult or impossible for a user to make a call in the case of an emergency, which poses severe safety risks. This project would account for the coverage and capacity issues in this area to make sure that citizens can reliably contact emergency services when needed.

SIMILAR FACILITIES WITHIN CLARK COUNTY:

This proposal is very similar to existing Communications Facilities that have already been approved by Clark County Planning & Zoning. Applicant has compiled a quick list of other parcels that are comparable to this proposal for easy review:

<u>Parcel ID:</u>	<u>Underlying Zoning</u>	<u>Tower Type:</u>	<u>Tower Height:</u>	<u>Distance to Residential area:</u>
176-16-601-010	R-E	Stealth Water Tank	80'	20'
177-28-702-016	R-E	Slim Pole	79'	140'
177-31-210-013	R-E	Stealth – Mono Palm	80'	240'
177-19-701-005	R-E	Stealth – Mono Palm	80'	50'
177-16-501-009	R-E	Mono-Pole (Non-Stealth)	95'	220'

WIRELESS TELECOMMUNICATION FACILITY CHARACTERISTICS

Visual Effect

We strive to design our facilities and locate parcels that create the least amount of community disturbance. The surrounding area is mostly developed commercial and residential properties of medium density. The proposed site is currently vacant and has not had any significant prior uses on the property. We are proposing a stealth Mono-pine design to hide the external antennas and reduce any visual impact there may be with this project.

Frequency Of Maintenance Work On The Proposed Facility

On average, after initial installation, a carrier or its contactors would likely visit the facility about one to four times a year for maintenance, though this number could vary depending on the specific circumstances of the facility.

The Average Number Of Vehicles Visiting The Facility

The average maintenance visit by a carrier or its contractors would likely involve one pickup truck. With an average of one to four visits a year and one truck a visit, there would likely be about one pickup truck visiting the site a month, per carrier, if at full capacity.

The Average Duration Work Visits On The Facility

For typical maintenance visits, a carrier or its contactors would only be at the site a few hours, but this number could increase depending on the work that needed to be completed at the site.

Expected Noise Levels

Telecommunications facilities are essentially silent. This would be true whether there were one or three carriers. A generator could be operated on site in the rare instance that power went out. The generator would create noise, but it would not be noticeable off of the parcel.

CLARK COUNTY DEVELOPMENT CODE 30.44-28 & 30.44-29

1. Design standards for all towers. (These conditions may be modified with the approval of the special use permit.)
 - A. Unless otherwise required as a condition of approval all towers shall be designed to accommodate more than 1 antenna array, and towers higher than 80 feet must accommodate at least 3 antenna arrays.
Response: This tower will be 80 feet in height with a 4 foot lighting rod and will be able to accommodate up to three national broadband mobile network carrier's antenna arrays.

- B. If no permanent staff is assigned to the facility, development standards regarding parking, landscaping and screening (Chapters 30.60 and 30.64) are not required; however, compliance with all dust control measures required per Clark County Air Quality Regulations shall be maintained, with the exception of:
Response: No development standards regarding parking, landscaping and screening are required as no permanent staff will be assigned to this facility. Applicant will meet all compliance measures required by Clark County Air Quality for this project.
- i. Development greater than 40,000 square feet in size shall comply with the standards for screening and landscaping.
Response: This is not applicable as this development will not exceed 40,000 square feet.
- ii. Ground level equipment, buildings, and the tower or antenna base shall be screened to prevent visibility from streets and residential development.
Response: All ground level equipment, buildings, and the tower base shall be screened by solid wood external fencing in order to reduce visibility from all nearby streets and residential developments.
- C. Any communication tower may provide a security fence or wall subject to the design standards listed under Chapter 30.64 of this Title.
Response: This project meets all design standards listed under Chapter 30.64 of this Title, see Applicant's detailed responses to Chapter 30.64 below.
- D. No signals, lights or signs shall be permitted on towers unless required by the Federal Communication Commission or Federal Aviation Administration.
Response: Applicant acknowledges and accepts this requirement. This tower will not have any signals, lights, or signs unless required by the Federal Communication Commission or Federal Aviation Administration.
- E. Design.
- i. All towers shall be designed to be architecturally compatible with the surrounding buildings and land uses in the zoning district, or otherwise integrated to blend in with existing characteristics of the site to the extent practical.
Response: The telecommunications facility will be designed to resemble that of a pine tree or "Mono-Pine" so that the external antennas will be hidden within the "branches" in order to reduce any visual impact and be designed to be of a similar color and shape of a pine tree. The 4 foot lighting rod will be painted and designed to blend in with the faux branches.
- ii. All towers shall be painted with a color generally matching the surroundings or background that minimizes its visibility, however, a different color may be used if required by the Federal Communication Commission or Federal Aviation Administration.
Response: The telecommunications facility tower will be painted with colors to best resemble a pine tree and not a traditional cell tower. This design has been chosen to minimize visibility of the exterior antennas from the nearby community.
- F. The maximum height shall be 80 feet unless located within a public utility substation in which case the maximum height shall be 20 feet above the highest structure within the substation.
Response: Applicant is proposing an 80 foot mono-pine communications tower with a 4 foot lighting rod on top, for a total structure height of 84 feet, which is 4 feet beyond the maximum height of 80 feet. Applicant is requesting a waiver of 4 additional feet beyond the height Development Standards in order to account for the lightning rod hidden within faux branches above the tower itself and provide the best fix for coverage issues in the area. Please see the attached "Height Justification Narrative"

for the technical radio frequency specifications for why the 80' tower height (with 4 foot lightning rod/faux branches) would be required.

- G. The following setbacks shall be required:
- i. When located within a public utility substation, 10 feet minimum from street and 20 feet minimum from residential development.
Response: This section is not applicable as this project is not located within a public utility substation.
 - ii. For all other towers:
 - (a) From any street: minimum 40 feet.
Response: This project meets this requirement as the nearest street is approximately 50 feet from tower site.
 - (b) From residential development located on a separate property than on which the tower is located:
 - (1) If lot is 2 ½ acres or greater: minimum distance shall be at least 300% of the height of the tower.
Response: Proposed site is located on a Property that is .82 acres and thus the above does not apply.
 - (2) If lot is less than 2 ½ acres: minimum distance shall be at least 200% of the height of the tower.
Response: In order to provide the necessary tower height for cellular coverage, Applicant is proposing a total structure height of 84 feet. As written, the development standards would require this proposal to be setback 168 feet from any property line, however, as the parent parcel is roughly 117 feet wide, there is no possibility of meeting this setback requirement and Applicant is requesting a reduction for these Development Standards to 54'. The proposed tower location was chosen as it is set equidistance from the Northern and Southern property lines roughly 54' each. A 54' setback is the absolute maximum setback can could be achieved on this parent parcel and if applicant were to move the communication tower location any direction other than east, the communication facility would no longer be equidistance from the adjacent parcel boundaries.
 - (3) Exception. In no case shall the setback be a distance equal to more than 75% of the width of the lot, measured from the property line that abuts or is closest to the residential development to the property line on the opposite side of the lot.
Response: This exception does not apply to this proposal.
- H. A minimum separation of 600 feet from another communication tower unless designed and constructed in a stealth design in a cluster.
Response: This project meets this requirement, as the nearest communication tower is FCC Registration # 1011149 and is over 2,400 feet away from the proposed project location, as shown in the aerial image below.



2. A performance bond shall be required for all new towers, including relocated towers where a previous bond has not been accepted, in a form acceptable to the Department, or a cash deposit in lieu of the bond, in an amount sufficient to provide for removal, storage or disposal of the tower plus an additional 15% contingency and to restore the site including stabilization and re-vegetation as necessary. An estimate of the removal cost from a Clark County licensed company experienced in contracting for removal of standard components shall accompany the bond. Unless the tower is located on property owned by a governmental entity where a guarantee is in place for removal of the tower when no longer in use, a separate bond will be required for each tower regardless of owner(s) or location. All bonds shall provide for the County to collect the full amount of the guarantee if the applicant fails to maintain the guarantee. Any government entity or public utility company shall be exempt from this requirement.

Response: Applicant acknowledges and accepts this requirement.

3. If no bond is in place, or if the County cannot collect on a bond issued pursuant to paragraph 2 above, then the following procedure shall apply. Any abandoned or unused tower, and the associated components of the facility shall be removed within 12 months of the cessation of operations of the tower. In the event that timely removal is not performed, the County may remove or cause the removal of the tower and associated components, assess the costs of removal against the property, after notice and opportunity to be heard is provided. Before taking such action, the County must mail to the property owner a notice of the County's intent to do so. The property owner served with such notice shall have 30 days from the date the notice is mailed to respond in writing to request a hearing before the Board to show cause why the abandoned tower and associated components should not be removed from the property at the property owner's expense. The failure to request a hearing within 30 days shall be deemed a waiver of the right to be heard and the County may immediately cause the removal of the tower and any associated components, and may assess the costs of removal, storage and disposal against the property.

Response: Applicant acknowledges and accepts this requirement.

CLARK COUNTY DEVELOPMENT CODE 30.64.020 Fences and Walls.

Perimeter fences and walls are permitted and/or required in accordance with the provisions of this section. An additional one foot of decorative embellishment is permitted on each wall.

1. When Permitted. Unless otherwise specified in Tables 30.64-1 and 30.64-2, fences and walls not required (but permitted) shall comply with this subsection (1). However, when constructed in conjunction with a retaining wall, the specified maximum wall height may be increased to include the height of the retaining wall up to a maximum of 12 feet, subject to compliance with 30.64.050(4), unless otherwise specified in the Chapter. Security fences are permitted in conjunction with Temporary Government Facilities in any zoning district, subject to the requirements for security fences in 30.08.030 and Table 30.64-2.

Response: Applicant acknowledges and accepts this subsection.

- C. Commercial and Special Development. Fences and walls over 3 feet in height are not permitted within the required zoning district setbacks along a street unless required to buffer adjacent uses as approved by the Commission or Board. Any fence or wall within the required zoning district setbacks which is along a street shall be decorative. Congregate care, independent and assisted living, school, and recreational facilities may have fences and walls within street setbacks subject to approval by the Commission or Board. Fences or walls within side and rear setbacks not adjacent to a street nor on the property line shall not exceed 6 feet in height.

Response: This project will be surrounded by a 6-foot solid wood security fence as this project is a special development that is not set within the zoning district setback requirements

CONCLUSION

This justification letter represents the required and supplementary information to document the technological, economic, and social necessity and benefits of a new 80' stealth mono-pine communications tower with a 4-foot lighting rod hidden within faux branches, located south of Haven street and El Dorado Lane Las Vegas, NV with parcel number: 177-09-202-018. This project will provide the best network coverage to the community while minimizing any visual impacts and accounting for future need by having the ability to host multiple network carriers. As this proposed location is the only property within the carrier's search area that has a willing property owner, enough space to host the project, and applicable zoning, Atlas Tower 1, LLC respectfully requests the approval of our Special Use Permit, Waiver of Development Standards and Design Review Application for an 80-foot Stealth Mono-pine communications tower with 4-foot lighting rod and facility.

Best Regards,

Cornelius Whitehead
Atlas Tower 1, LLC
3002 Bluff St., Suite 300
Boulder, CO 80301
Office (303) 448-8896

04/06/21 PC AGENDA SHEET

COMMERCIAL COMPLEX
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0037-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce landscaping; **2)** reduce height/setback ratio; **3)** reduce parking; and **4)** alternative driveway geometrics.

DESIGN REVIEW for a commercial complex.

Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jd (For possible action)

RELATED INFORMATION:

APN:

177-30-103-004

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce landscaping to a less intense use along the east property line to 4 feet where 5.5 feet is the minimum width per Figure 30.64-11 (a 27% reduction).
 - b. Reduce landscaping to a less intense use along the west property line to 5 feet where 5.5 feet is the minimum width per Figure 30.64-11 (a 9% reduction).
 - c. Allow 8 parking spaces between landscape fingers where 6 parking spaces between landscape fingers is the maximum per Figure 30.64-14 (a 34% increase).
 - d. Reduce the width of parking lot landscape fingers to 3 feet where 6 feet is the minimum per Figure 30.64-14 (a 50% reduction).
2.
 - a. Reduce the height/setback ratio to the east property line to 19 feet where 65 feet 3 inches is required per Figure 30.56-10 (a 71% reduction).
 - b. Reduce the height/setback ratio to the west property line to 39 feet where 65 feet 3 inches is required per Figure 30.56-10 (a 41% reduction).
3. Reduce parking to 41 spaces where 50 spaces are required per Table 30.60-1 (an 18% reduction).
4. Reduce throat depth on Silverado Ranch Boulevard to 1 foot where 25 feet is the minimum distance per Uniform Standard Drawing 222.1 (a 96% reduction).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Project Type: Commercial complex
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 9,911
- Parking Required/Provided: 50/41

Neighborhood Meeting Summary

Neighborhood meeting notices were mailed to property owners within 1,500 feet of the subject site notifying them of a virtual neighborhood meeting on December 14, 2020. No neighbors attended the neighborhood meeting.

Site Plan

The site plan depicts 2 retail/restaurant buildings. The northern building is set back 76 feet from the north property line along Silverado Ranch Boulevard, 52 feet from the east property line, and 65 feet from the west property line. The southern building is set back 23 feet from the southern property line, 19 feet from the east property line, and 39 feet from the west property line. A height/setback ratio of 65 feet is required for both the east and west setbacks for both buildings, which necessitates a waiver of development standards.

Access to the site is provided by a single driveway from Silverado Ranch Boulevard. A waiver of development standards is necessary to reduce the throat depth to 1 foot where 25 feet is the minimum required distance. Parking spaces are provided on the east and west sides of the northern portion of the site and on the north sides of both buildings. The restaurant portions of the buildings require 10 parking spaces per 1,000 square feet, and the remainder of the buildings require 4 parking spaces per 1,000 square feet. As a result, 50 parking spaces are required, but only 41 parking spaces are provided, which requires a waiver of development standards.

A drive-thru lane is provided on the west and south sides of the northern building, and a second drive-thru lane is adjacent to the west, south, and east sides of the southern building. A trash enclosure and loading space are provided on the northwest side of the southern building. Lastly, future cross access to the adjacent eastern parcel is shown in the southeast portion of the site. Cross access will be installed if the adjacent parcel to the east develops with commercial uses.

Landscaping

Landscaping along Silverado Ranch Boulevard is 15 feet wide with a detached sidewalk. On the east side of the site, landscaping is 4 feet wide where 5.5 feet is the minimum width required, and on the west side of the site, landscaping is 5 feet wide where a minimum width of 5.5 feet is required. A waiver of development standards is necessary to reduce the landscaping width required adjacent to a less intense use along both the east and west property lines. Along the south property line, landscaping is 5 feet 10 inches in width.

Additional landscaping is provided on the west side of the southern building and in landscape fingers in the parking lot. Parking lot landscape fingers are provided every 6 parking spaces or less except in the northwest portion of the site where 8 parking spaces are located between landscape fingers. Also, the width of the landscape fingers in the parking lot vary, with 1 landscape finger measuring approximately 3 feet wide, inside of curb to inside of curb. Six feet is the minimum width required for landscape fingers. As a result, a waiver of development standards is necessary to increase the number of parking spaces between landscape fingers and to reduce the width of landscape fingers.

Elevations

Both buildings are approximately 28 feet high to the tallest portion of the parapet wall along the roofline. The lower parapet wall along the roofline is 24 feet high. Exterior materials for both buildings include painted stucco, fabric awnings, storefront glazing, and wall mounted pack lights.

Floor Plans

The northern retail/restaurant building is 3,006 square feet, which is comprised of 2,206 square feet of retail space and 800 square feet of restaurant space. The southern retail/restaurant building is 6,905 square feet, which is comprised of 6,105 square feet of retail space and 800 square feet of restaurant space. The suites will be built-out specific to future tenant needs.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the retail/restaurant buildings will attract new businesses to the area, which in turn will create employment opportunities. The design intent, color scheme, and finishes will harmoniously blend with the proposed developments in the surrounding area. Waivers of development standards are necessary for the proposed project but will not create any negative impacts. For example, additional medium trees and shrubs are provided to compensate for the reduced landscaping to less intense uses, reduced parking lot landscaping, and reduced height/setback ratios. Forty-one parking spaces is appropriate for the proposed uses and increasing the throat depth would further reduce on-site parking.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-1156-03	Rename Gomer Road to Silverado Ranch Boulevard	Approved by PC	September 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Nevada National Guard armory
South	Public Facilities	P-F	Detention basin

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Residential Suburban (up to 8 du/ac)	C-2	Single family residential (approved for restaurants, retail, and vehicle maintenance facility)
West	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

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, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

According to the applicant, a change in trends in the area is the approval of C-2 zoning on the adjacent parcels to the east.

Although the 2 parcels to the east were approved for C-2 zoning with retail, restaurants, and vehicle maintenance, there are no building permits on file for development. In addition, the Enterprise Land Use Plan was recently re-adopted in February 2021, and the planned land use for the subject site and adjacent parcels remained Residential Suburban. Also, an existing single family residence is located on the adjacent parcel to the east. Lastly, the subject site is part of a continuous block of parcels that continues to be planned for Residential Suburban uses on the south side of Silverado Ranch Boulevard. If the subject site is also reclassified to C-2 zoning, the remaining Residential Suburban planned land uses become less viable in this area.

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

The applicant indicates that the intensity of the uses allowed in a C-2 zone is compatible with the vacant parcels to the west and the approved C-2 zoning to the east.

The C-2 zoning district is the most intense form of commercial zoning, which permits many uses by right. Some of these intense commercial uses may not be appropriate adjacent to the existing single family residence to the east and the planned Residential Suburban uses to the west. As a result, staff finds that the intensity of the uses associated with the zoning district are not

compatible with the existing and planned land uses in the surrounding area. In addition, the intention of the C-2 zoning district is for regional commercial uses located on at least 10 acres. The subject site is approximately 1 acre, and the 2 parcels to the east that were rezoned to C-2 are also 1 acre each. Therefore, the subject site and adjacent 2 parcels to the east would create approximately 3 acres of C-2 zoning where Title 30 recommends a minimum of 10 acres.

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 service providers that this request will have a substantial adverse effect on public facilities and services.

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

The proposed nonconforming zone boundary amendment does not comply with goals and policies in the Comprehensive Master Plan. For example, Goal 1 promotes development that is compatible with adjacent land uses. The proposed C-2 zoning would allow development that is not compatible with the Residential Suburban planned land uses to the east and west, nor the existing single family residence to the east. Also, Urban Specific Policy 8 discourages nonconforming zone changes.

Summary

Zone Change

Overall, there has not been a change in law, policies, trends, or facts after the most recent adoption of the Enterprise Land Use Plan in February 2021 to justify the nonconforming zone change. Also, the intensity of uses allowed in the C-2 zone is not compatible with the Residential Suburban planned land uses for the east and west of the site, and the combined area of the subject site and adjacent C-2 zoned parcels to the east would be 3 acres where Title 30 recommends a minimum of 10 acres. Although there has been no indication from utility purveyors that the zone change would significantly impact public services, the proposed zone change does not conform to goals and policies in the Comprehensive Master Plan. As a result, staff cannot support the nonconforming zone boundary amendment.

Waivers of Development Standards #1, #2, & #3 & Design Review

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

The proposed development is too intense for the site. As designed, the project cannot meet the minimum landscape buffer requirements on the east and west property lines. The number of parking spaces is increased between landscape fingers, and landscaping fingers are reduced in

size, which would not allow adequate room for tree growth. The height/setback ratios are reduced to the east and west property lines, which could negatively impact the existing and future planned land uses. Lastly, the minimum number of parking spaces are not provided for the site. Furthermore, if the restaurant uses expand beyond the 2 proposed 800 square foot suites, additional parking will be required, which would exacerbate the parking deficiency. As a result, site access and circulation could negatively impact traffic on Silverado Ranch Boulevard. In conclusion, the project is inconsistent with the Enterprise Land Use Plan goals and policies and Title 30 standards; therefore, staff cannot support the waivers of development standards or the design review.

Public Works - Development Review

Waiver of Development Standards #4

Silverado Ranch Boulevard is a major arterial right-of-way that sees a high volume of traffic. Staff has concerns that vehicles traveling on Silverado Ranch Boulevard trying to access the site may face immediate conflicts with the onsite movements and cause slowing or stopping in the right-of-way creating a dangerous situation. The site can be re-designed to allow vehicles to get out of the right-of-way onto the site in a safe manner.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 5, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- No permits shall be issued until the deed conveying ownership of the parcels to the applicant, LV Cactus Schrills, LLC., or its successors or assigns, is recorded;
- Provide cross access with the adjacent parcel to the east if the adjacent parcel to the east develops with commercial uses;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any future restaurant uses within the retail buildings may require additional on-site spaces or a land use application to reduce the required number of parking spaces which may not be supported by staff; 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;
- Coordinate with Public Works - Design Division for the Silverado Ranch Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Silverado Ranch Boulevard improvement project;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0454-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: SHELDON COLEN

CONTACT: SHELDON COLEN, SCA DESIGN, 2580 ST. ROSE PARKWAY, SUITE 305,
HENDERSON, NV 89074



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="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input checked="" 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>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>NZC-21-0037</u> DATE FILED: <u>2/1/21</u></p> <p>PLANNER ASSIGNED: <u>JCT</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>3/10/21</u></p> <p>PC MEETING DATE: <u>4/6/21</u></p> <p>BCC MEETING DATE: <u>5/5/21</u></p> <p>FEE: <u>2,602.50</u></p>
PROPERTY OWNER	<p>NAME: <u>Clark County Real Property Management</u></p> <p>ADDRESS: <u>500 S. Grand Central Pkwy, 4th Floor</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>	
APPLICANT	<p>NAME: <u>LV Cactus Schrills LLC</u></p> <p>ADDRESS: <u>11510 Mystic Rose Ct</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>	
CORRESPONDENT	<p>NAME: <u>Sheldon Colen</u></p> <p>ADDRESS: <u>2580 St. Rose Parkway Ste 305</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u></p> <p>TELEPHONE: <u>(702) 719-2020</u> CELL: <u>(702) 400-2957</u></p> <p>E-MAIL: <u>sheldon@scadesign.com</u> REF CONTACT ID #: _____</p>	

ASSESSOR'S PARCEL NUMBER(S): 177-30-103-004

PROPERTY ADDRESS and/or CROSS STREETS: W Silverado Ranch Blvd and Rogers St

PROJECT DESCRIPTION: Non-Conforming Zone Change on 1.05 acre from R-E to C-2.

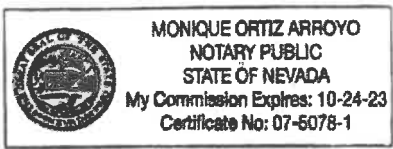
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

Lisa Kremer, Dir. CC Real Property Mgmt
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON DECEMBER 22, 2020 (DATE)
 By LISA KREMER, DIRECTOR

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.



2580 St. Rose Parkway, Suite 305,
Henderson, NV 89074
Tel.: (702) 719-2020 Fax: (702) 269-9673
Gary L. Carlson, Architect (License No. 1859)
Sheldon Colen, Architect (License No. 7701)

January 5, 2021

Clark County Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89102

RE: Justification Letter for a Non-Conforming Zone Change on 1.05 acre parcel (177-30-103-004) from R-E to C-2 to allow for the construction of two retail buildings.

Please accept this letter as justification for Non-Conforming Zone Change at W Silverado Ranch Blvd and Rogers St. (APN: 177-30-103-004) for the proposed construction of two retail buildings. The project is sited along West Silverado Ranch Blvd. and Rogers St. Through this Design Review, on behalf of our client we respectfully request for your approval of the following waivers on development standards:

- 1) Request Waiver of Development Standards of USDCCA 222.1 (Throat Depth) as follows:
 - a. For a turn-in throat depth distance of 1'-6" on Silverado Ranch Blvd where 25 feet is required. Providing the 25-foot throat depth would have a negative impact on the flow of traffic and required parking.
- 2) Request Waiver of Development Standards 30.64-14(C) for landscape fingers to be installed at every 8 parking spaces where it is required to be at every 6 parking spaces. To help mitigate this request, we are providing more medium canopy trees than the minimum required.
- 3) Request Waiver of Development Standards 30.64-14(D) for landscape fingers to have a minimum width of 3'-7" as measured from inside of curb where it is required to be 6 minimum.
- 4) Request Waiver of Development Standards for the required landscape finger between the loading space and parking space to the east in front of Retail Building B. To help mitigate this request, we are providing a wider loading space than the required 10' minimum.
- 5) Request Waiver of Development Standards 30.64-11(D) for landscaping to a less intense use to have a minimum width of 4'-3" along the east property line and 5'-3" along the west property line instead of the required 5'-5" required
- 6) Request Waiver of Development Standards to Table 30.60-1 to reduce the required parking from the required 50 stalls to 41 stalls.
- 7) Request Waiver of Development Standards 30.56-10 (Height/Setback) as follows:
 - a. For a west setback of 65'-5" and east setback of 52'-9" where 65'-3" is required per the 3:1 setback ratio, for the Retail Building A. To help mitigate this request, we are providing additional shrubs

- between required trees at 20'-0" on center.
- b. For a west setback of 39'-3" and east setback of 19'-8" where 65'-3" is required per the 3:1 setback ratio, for the Retail Building B. To help mitigate this request, we are providing additional shrubs between required trees at 20'-0" on center.

The proposed buildings will be 3,006 sq ft (Building A) and 6,905 sq ft (Building B) and both standing at 27'-9" high. The design intent, color scheme, and finishes are to harmoniously blend with the proposed developments in the surrounding area. The site is accessible from W. Silverado Ranch Blvd through a 35'-0" driveway, as well as ADA compliant pedestrian walkway. Each Building will be dedicated to 800 sq feet of Restaurant Space with a drive-thru lane, window, and speaker box.

The parking total of 41 spaces is provided, including 2 car and van accessible spaces. A total of 8 bicycle spaces are provided within 100 feet of all building entrances. All parking can be easily accessed by customers and employees via walkways located at building entrances. As shown on site plan, all parking is to be illuminated by new 20-foot-tall shielded down-light posts to eliminate any light pollution outside of the site, to comply with Clark County regulations. Additional wall mounted lighting is provided along the perimeter of the building which will help illuminate the walkways surrounding the building, making this building a safe and illuminated environment.

Adequate landscape is being provided in the form of terminal islands and landscape buffers where parking occurs. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list.

There is one proposed trash enclosure to be shared by both building. The trash enclosure will have 6-foot-high splitface CMU walls. A solid cover over the trash enclosure will be provided which consists of tube steel beams and columns with corrugated metal sheets to compliment the site and building. Landscaping will be provided surrounding the enclosure for screening purposes, although still illuminated by a light pole to keep it safe for employees and away from vandalism.

We feel that the Retail Buildings will attract new businesses to the area, which in return will create employment opportunities for the community. With these items in mind we respectfully ask for your approval recommendation for this project.

Thank you,

Sheldon Colen.
SCA Design



2580 St. Rose Parkway, Suite 305,
Henderson, NV 89074
Tel.: (702) 719-2020 Fax: (702) 269-9673
Gary L. Carlson, Architect (License No. 1859)
Sheldon Colen, Architect (License No. 7701)

October 29, 2020

Clark County Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89102

Re: Compelling Justification for a Nonconforming Zone Change on 1.05 acre parcel (177-30-103-004) from R-E to C-2 to allow for the construction of two retail buildings.

We respectfully request your consideration to rezone parcel 177-30-103-004 from R-E to C-2 to allow for two retail buildings. The project is sited along West Silverado Ranch Blvd. and Rogers St.

The following information addresses the County criteria for a Nonconforming Zone Change:

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.

Despite the current land use being RE-Residential Rural Estates, the properties at the east side of the project, APN 177-30-104-001 and 177-30-104-002, has been approved for a zoning change of C-2. (ROI-0881-19). Thus, proposing a zone change to C-2 is not a major deviation to its current surroundings.

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 density of the proposed development is consistent with the surrounding developments in the area. Currently, the vicinity of the site are vacant lots except for the property directly east of the project, which, as mention previously, has an approved zone change of C-2.

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 proposed development will not have a great impact on public facilities and services, or that of any typical R-E zoned development. All other public facilities and services will not be negatively affected by this non-conforming zone boundary amendment.

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

Per Clark County Comprehensive Plan Goals and Policies, the project conforms to the following:

- Urban Specific Policy 21, to encourage drive-thru facilities and stacking lanes to be obscured from view by an intense landscape buffer.
- Urban Specific Policy #73 to provide and maintain, perimeter and interior parking lot trees for shade and visual relief, while maintaining view corridors to storefront areas.
- Urban Specific Policy #78 to encourage architectural treatments on all building sides to eliminate blank building elevations along building rights of ways and areas visible to the general public to improve visual quality.
- Urban Specific Policy #79 to encourage this commercial development to use visually articulated elements in the proposed buildings.
- Community Design Policies #6: Land use arrangements that provide adjacency of living and employment opportunities should be encouraged.

Thank you,

Sheldon Colen
SCA Design

04/06/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

FRIAS AVE GILES ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0056-BIG TETON, LLC:

ZONE CHANGE to reclassify 8.8 acres from R-E (Rural Estates Residential) Zone and H-1 (Limited Resort and Apartment) Zone to R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce street intersection off-set.

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

Generally located on the southeast corner of Frias Avenue and Giles Street within Enterprise (description on file). MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

177-28-401-003; 177-28-401-004; 177-28-401-011; 177-28-401-016

WAIVER OF DEVELOPMENT STANDARDS:

Reduce street intersection off-set to 106 feet where a minimum of 125 feet is required per Section 30.52.052 (a 15.2% reduction)

DESIGN REVIEWS:

1. A detached single family residential development.
2. increase finished grade to 72 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 10414 Giles Street
- Site Acreage: 8.8
- Number of Lots: 51 residential/3 common elements
- Density (du/ac): 5.8
- Minimum/Maximum Lot Size (square feet): 4,751/8,529
- Project Type: Single family residential development

- Number of Stories: 2
- Building Height (feet): 29
- Square Feet: 2,520 to 3,280
- Open Space Required/Provided: 0/16,701 square feet

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 8.8 acres from an R-E zone and H-1 zone to an R-2 zone for a single family residential development. The applicant conducted a neighborhood meeting on-line on October 23, 2020 as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 5 people attended the meeting. Concerns raised at the meeting included traffic on Cactus Avenue and plans to improve Cactus Avenue.

Site Plans

The plans depict a single family residential development on 8.8 acres consisting of 51 lots with a density of 5.8 dwelling units per acre. The site has the appearance of an upside down "L" with frontage along Giles Street, Frias Avenue, and Haven Street. None of the proposed lots will have direct access to the public streets. Access to the proposed development will be provided from Giles Street at the southwestern corner of the site and Haven Street at the northeastern corner of the site. Access to the lots will be provide by 43 foot wide private streets with a 4 foot side wide sidewalk on 1 side of the streets. The plan depicts 4 stub streets within the development and each stub street will provide access to a maximum of 6 lots. The reduction of the street intersection is between the intersection of Giles Street and private street "C" and the intersection of private street "C" with private street "A", within the southwestern corner of the site. The applicant indicates the increased finished grade is necessary throughout the site.

Landscaping

The plans depict 3 common element lots with a total area of 16,701 square feet. The common elements are located along Giles Street, Frias Avenue, and Haven Street and are a minimum of 6 feet in width, next to an attached sidewalk per Code. The plan depicts landscaping consisting of trees, shrubs, and groundcover within these common elements.

Elevations

Plans were submitted for 4, two story homes with a maximum height of approximately 29 feet. Each of the homes has a pitched roof with concrete tile roofing material. The exterior of the homes consists of a stucco finish painted in earth tone colors, stone veneer, and window fenestrations.

Floor Plan

The home models will be between 2,520 square feet to 3,280 square feet in area. The homes have options for 3 to 6 bedrooms and each home will have a minimum 2 car garage.

Applicant's Justification

The applicant indicates the proposed development better aligns with the trend of development and character of the surrounding area, which makes the proposed zone change appropriate. The

street intersection off-set is appropriate because the proposed development offers 2 points of entry to the development which reduces traffic to the adjacent public streets and the streets within the development are private with low levels of traffic. The increase in finished grade is necessary to provide for adequate site drainage.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0285	Vacated and abandoned easements and a portion of Rush Street	Approved by BCC	June 2019
DR-19-0284	Condominium hotel on the southernmost 2.1 acres of the subject site	Approved by BCC	June 2019

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Multiple family residential
South	Commercial Tourist	R-4	Undeveloped
East	Public Facilities & Commercial Tourist	R-E, R-4, & P-F	John C. Bass Elementary School & undeveloped
West	Public Facilities & Commercial Tourist	H-1 & C-2	Electrical substation & undeveloped

Related Applications

Application Number	Request
VS-21-0057	A vacation of patent easements is a companion item on this agenda.
TM-21-500014	A tentative map for a 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.*

Within portions of the Enterprise Planning area there has been a trend for more single family residential developments. However, this has not been the trend in this area. There is an existing multiple family residential development to the north in an H-1 zone consisting of 320 units on 14.3 acres with a density of 22.4 du/ac, which is allowed within the H-1 zone. The parcels to the south and east of this site were reclassified to an R-4 zoning district by ZC-18-0941 a BCC initiated zone change for a future high density attainable housing project. Therefore, the trend in this area has been for high density (over 18 du/ac) residential development and not for single family residential developments. Staff finds that there has not been a change in law, policies, trends, or facts which makes the proposed nonconforming zone boundary amendment 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.*

To the southwest of this site is an area under development for a shopping center in a C-2 zone which was approved in conformance to the Enterprise Land Use Plan. There are existing single family residences to the east in an R-E zoning district which are in areas designated by the Land Use Plan as Rural Neighborhood Preservation. The existing residential development to the north is a multiple family residential development with a density of 22.4 du/ac. The parcels to the south and east of this site are approved for multiple family residential development at a maximum of 24 du/ac. The parcels to the north, south, and east are approved for densities almost 4 times greater than the proposed project. Other developments in this area are developed in conformance to the Land Use Plan. Staff finds this request is not compatible with existing, planned, or approved land uses in the surrounding 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 service providers that the approval of this request will have a substantial adverse effect on public services and facilities in this area. The school district has indicated that the proposed development will increase student yield by a total of 20 students for the schools that would serve the proposed development and 2 of these schools (Silvestri Middle School and Liberty High School) are currently over capacity.

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

At a density of 5.8 du/ac this site is at a significantly lower density to the existing multiple family residential development to the north (22.4 du/ac) and the approval for the future multiple family residential development to the south and east (up to 25 du/ac). Therefore this project does not comply with Urban Specific Policy 4 of the Comprehensive Master Plan, which encourages vacant lots within existing residential neighborhoods to develop at similar densities as the existing area. As a single family residential development, the site design is very different than the existing multiple family residential development to the north. Therefore, the proposed

project does not comply with Urban Specific Policy 10 of the Comprehensive Master Plan, which encourages site designs to be compatible with adjacent land uses.

Summary

Zone Change & Design Review #1

Staff finds that there has not been a change in law, policies, trends, or facts which makes the proposed nonconforming zone boundary amendment appropriate. Staff finds this request is not compatible with existing, planned, or approved land uses in the surrounding area. Additionally, staff finds the proposed development does not comply with other applicable adopted plans, goals, and policies. Therefore, staff finds that the applicant has not satisfied all of the criteria to establish a Compelling Justification to warrant approval of this nonconforming zone boundary amendment and does not support the zone change. Since staff does not support the zone change, and design review #1 for the proposed development.

Waiver of Development Standards

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

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction in the street intersection off-set between Giles Street and Street "A". This entrance to the proposed 51 lot subdivision should see a low volume of traffic since there are two points of entry for the future residents, Giles Street and Haven Street. The entrance from Haven Street should help mitigate the traffic flows through the site and reduce potential safety issues with this request. However, since Planning cannot support this application in its entirety, staff cannot support this request.

Design Review #2

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

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 5, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved

- Resolution of Intent to complete in 4 years;
- 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; 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 Giles Street, 30 feet for Frias Avenue, 30 feet for Haven Street, 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0333-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RICHMOND AMERICAN

CONTACT: KIMLEY HORN, 6671 LAS VEGAS BLVD S., STE 320, LAS VEGAS, NV 89119



TENTATIVE MAP APPLICATION 3A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____

PROPERTY OWNER	NAME: <u>Ramak Roohani</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</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>Richmond American Homes</u> ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>(702) 240-5605</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Kimley-Horn</u> ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 623-7233</u> CELL: _____ E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____
----------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-016

PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

TENTATIVE MAP NAME: Timber Trails

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.

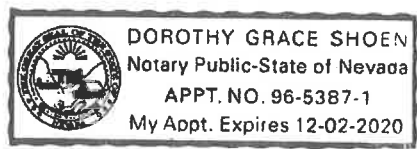
 Property Owner (Signature)*

Ramak Roohani
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10-22-20 (DATE)
 By Ramak 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.



January 6, 2021

Clark County
Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, Nevada 89155

RE: Frias & Giles
Project Description and Compelling Justification for Land Use Application (Non-Conforming Zone Change and Design Review)
APNs: 177-28-401-003, 177-28-401-004, 177-28-401-011 and 177-28-401-016

To whom it may concern,

Kimley-Horn, on behalf of Richmond American Homes of Nevada, is respectfully submitting this Project Description and Compelling Justification in accordance with the Land Use Application for a Non-Conforming Zone Change and Design Review. The subject project is a proposed residential subdivision located at SEC of Frias Avenue and Giles Street (APNs: 177-28-401-003, 177-28-401-004, 177-28-401-011 and 177-28-401-016).

Project Description:

The approximate 9.5 acre site is currently vacant, undeveloped land zoned as Rural Estates Residential (R-E) and Limited Resort and Apartment (H-1) with a planned land use of CT – Commercial Tourist. The site falls within the Enterprise Land Use Plan Area, Community District 2. The site is bound by properties with existing zoning as follows:

- North: Limited Resort and Apartment (H-1)
- East: Rural Estates Residential (R-E)
- South: Multiple-Family Residential – High Density (R-4)
- West: Limited Resort and Apartment (H-1) and General Commercial (C-2)

In addition to the properties, the site is bound by Frias Avenue to the north, Haven Street to the east and Giles Street to the west.

The proposed project includes a rezone from Rural Estates Residential (R-E) and Limited Resort and Apartment (H-1) to Medium Density Residential District (R-2), which is offers an appropriate transition correlating with the surrounding zoning. The proposed project consists of fifty-one (51) single-family residential units with a minimum lot square footage of 4,750 square feet. The proposed lots measure a minimum of 50-feet by 95-feet. The resulting density for the subdivision is 5.4± du/ac. Access to the proposed development will be provided by proposed driveways off Giles Street and Haven Street.

The proposed architecture for the project includes 4 two-story plans that range in size from 2,520 square feet to 3,280 square feet. Each home will have 2-3 car garage, 3-6 bedrooms, and a 20' driveway. The proposed floor plans and elevations are included in the submittal package.

Perimeter landscaping and typical setbacks for R-2 zoned development will be maintained per Title 30 development standards. The proposed project will provide a minimum of 6 feet of landscape buffer along Giles Street, Frias Avenue and Haven Street. The proposed landscaping design will be consistent with the surrounding area and will conform with jurisdictional standards. All landscaping will comply with the approved Southern Nevada Regional Plant List.

Site improvements will comply with Clark County Title 30 Development Code and include paving, landscaping, curb, gutter, sidewalk, underground utilities, accessibility, and positive drainage. Half street improvements, including sidewalk, are anticipated along the Giles Street, Frias Avenue and Haven Street frontages adjacent to the development.

Compelling Justification:

The following is a detailed response to the requirements specified for a "Compelling Justification" under Clark County Code, Chapter 30.08.

- 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.*

The proposed community is not anticipated to require a change in law, policies, trends, or facts after the adoption of the land use plan. Developing the property under the existing CT – Commercial Tourist land use is no longer consistent with the adjacent developments, which are now a mix of low density residential, high density residential, public facilities and commercial land uses. The proposed land use better aligns with the trend of development and character of the surrounding area, which makes the proposed non-conforming zone boundary amendment appropriate. It is also worth noting that within ½ mile of the subject site, there exists approximately 150 acres of land designated CT – Commercial Tourist land use that remains undeveloped.

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

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 trend in the surrounding area has been to transition from lower density rural residential to higher density residential and mixed uses approaching the Las Vegas Boulevard corridor. The proposed R-2 zoning offers an appropriate transition between the adjacent zoning classifications, especially considering the neighboring elementary school and church. The applicant respectfully requests a non-conforming zone change from R-E and H-1 (existing) to R-2 (proposed), which is consistent with the existing and planned zoning and land uses for the area.

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

The proposed development is not anticipated to have a substantial adverse effect on public facilities and services. A technical analysis will be completed for the drainage, water and traffic/transportation facilities prior to submitting the Civil Improvement Plans. The Police Department, Fire Department and School District that service this area will be contacted for the preparation of the reports that are required for the non-confirming zone change.

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

The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies as required by Clark County. The proposed development and land use specifically support the following goals and policies established by Clark County:

- “Encourage the intensification of infill sites to be balanced with a strong sensitivity to protecting existing neighborhoods, encouraging pedestrianism, compact development and reduction of air pollution.”
- “Where infrastructure is available and transit accessible, maximize the use of infill and redevelopment in existing urban/suburban areas. Infill development should be consistent with existing adjacent development.”
- “Preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area.”

We look forward to working with Comprehensive Planning for a favorable recommendation for the proposed development. Please do not hesitate to contact me at (702) 623-7233 if you have any questions or require any additional information.

Sincerely,
Kimley-Horn and Associates



Eric Hopkins, P.E.
Owner/Developer Correspondent

CC: Angela Pinley, Richmond American Homes of Nevada

04/06/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

FRIAS AVE/GILES ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0057-BIG TETON, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Frias Avenue and Cactus Avenue, and between Giles Street and Haven Street within Enterprise (description on file). MN/al/jd (For possible action)

RELATED INFORMATION:

APN:
177-28-401-003; 177-28-401-004; 177-28-401-011; 177-28-401-016

LAND USE PLAN:
ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description

The applicant is proposing to develop the site as a single family residential development. The request is to vacate patent easements located along the boundaries of the parcels that make-up the site that the applicant indicates are not necessary for development in this area. Any required right-of-way or easements for utilities or drainage will be dedicated with a future subdivision map.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0285	Vacated and abandoned easements and a portion of Rush Street	Approved by BCC	June 2019
DR-19-0284	Condominium hotel on the southernmost 2.1 acres of the subject site	Approved by BCC	June 2019

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Multiple family residential
South	Commercial Tourist	R-4	Undeveloped
East	Public Facilities & Commercial Tourist	R-E, R-4, & P-F	John C. Bass Elementary School & undeveloped
West	Public Facilities & Commercial Tourist	H-1 & C-2	Electrical substation & undeveloped

Related Applications

Application Number	Request
NZC-21-0056	A zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
TM-21-500014	A tentative map for a 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 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 May 5, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 30 feet for Giles Street, 30 feet for Frias Avenue, 30 feet for Haven Street, and associated spandrel;
- 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 approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RICHMOND AMERICAN

CONTACT: KIMLEY HORN, 6671 LAS VEGAS BLVD S., STE 320, LAS VEGAS, NV
89119

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

4A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

PROPERTY OWNER	NAME: <u>BIG TETON LLC</u>
	ADDRESS: <u>P.O. Box 370042</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89137</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Richmond American Homes</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>(702) 240-5605</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Kimley-Horn</u>
	ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 623-7233</u> CELL: _____
	E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-004

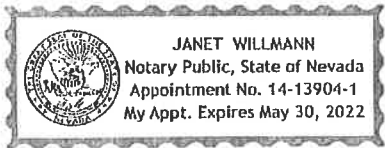
PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

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



Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON: November 19, 2020 (DATE)
 By Dariusz J. Mani
 NOTARY PUBLIC: 

Big Teton LLC / Dariusz J. Mani

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.



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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: _____ DATE FILED: _____
 PLANNER ASSIGNED: _____
 TAB/CAC: _____ TAB/CAC DATE: _____
 PC MEETING DATE: _____
 BCC MEETING DATE: _____
 FEE: _____

PROPERTY OWNER

NAME: Khusrow Roohani Family Trust
 ADDRESS: 9315 W. Sunset Road, Suite 100
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: _____ CELL: _____
 E-MAIL: _____

APPLICANT

NAME: Richmond American Homes
 ADDRESS: 7770 S. Dean Martin Drive, Suite 308
 CITY: Las Vegas STATE: NV ZIP: 89139
 TELEPHONE: (702) 240-5605 CELL: _____
 E-MAIL: angela.pinley@mdch.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Kimley-Horn
 ADDRESS: 6671 Las Vegas Boulevard South, Suite 320
 CITY: Las Vegas STATE: NV ZIP: 89119
 TELEPHONE: (702) 623-7233 CELL: _____
 E-MAIL: eric.hopkins@kimley-horn.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-011

PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

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.

[Handwritten Signature]

Property Owner (Signature)

STATE OF NEVADA Clark
COUNTY OF

SUBSCRIBED AND SWORN BEFORE ME ON 11-20-20 (DATE)

By Khusrow Roohani - Trustee

NOTARY PUBLIC: Dorothy Grace Shoen

KHUSROW ROOHANI

Property Owner (Print)



DOROTHY GRACE SHOEN
 Notary Public-State of Nevada
 APPT. NO. 96-5387-1
 My Appt Expires 12-02-2020

*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, 2021

Clark County Current Planning
500 South Grand Central Parkway
Las Vegas, Nevada 89101

RE: Frias & Giles

Justification Letter for Vacations

APNs: 177-28-401-004, 177-28-401-011 and 177-28-401-016

To whom it may concern,

Kimley-Horn, on behalf of Richmond American Homes of Nevada, is respectfully requesting to file an Easement Vacation & Abandonment to vacate:

- Portion of 33 feet of patent easement for public roadways and utilities per Instrument No. 222990 in Book 275 of Official Records up to the ultimate 30' public right-of-way adjacent to Frias Avenue and Haven Street, affecting APN: 177-28-401-004.
- Portion of 33 feet of patent easement for public roadways and utilities per Instrument No. 629228 in Book 783 of Official Records up to the ultimate 30' public right-of-way adjacent to Giles Street, affecting APN: 177-28-401-011.

The vacation application and corresponding documents are included with this submittal for your review. Please contact me at (702) 623-7233 if you have any questions or require any additional information.

Sincerely,
Kimley-Horn and Associates

Eric Hopkins, P.E.
Project Engineer
Owner/Developer Correspondent

CC: Angela Pinley, Richmond American Homes of Nevada

04/06/21 PC AGENDA SHEET

FRIAS & GILES
(TITLE 30)

FRIAS AVE GILES ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-21-500014-BIG TETON, LLC:

TENTATIVE MAP consisting of 51 single family residential lots and common lots on 8.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southeast corner of Frias Avenue and Giles Street within Enterprise, MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

177-28-401-003; 177-28-401-004; 177-28-401-011; 177-28-401-016

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 10414 Giles Street
- Site Acreage: 8.8
- Number of Lots: 51 residential/3 common elements
- Density (du/ac): 5.8
- Minimum/Maximum Lot Size (square feet): 4,751/8,529
- Project Type: Single family residential development

The plans depict a single family residential development on 8.8 acres consisting of 51 lots with a density of 5.8 dwelling units per acre. The site has the appearance of an upside down "L" with frontage along Giles Street, Frias Avenue, and Haven Street. None of the proposed lots will have direct access to the public streets. Access to the proposed development will be provided from Giles street at the southwestern corner of the site and Haven Street at the northeastern corner of the site. Access to the lots will be provided by 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the streets. The plan depicts 4 stub streets within the development and each stub street will provide access to a maximum of 6 lots.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0285	Vacated and abandoned easements and a portion of Rush Street	Approved by BCC	June 2019
DR-19-0284	Condominium hotel on the southernmost 2.1 acres of the subject site	Approved by BCC	June 2019

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Multiple family residential
South	Commercial Tourist	R-4	Undeveloped
East	Public Facilities & Commercial Tourist	R-E, R-4, & P-F	John C. Bass Elementary School & undeveloped
West	Public Facilities & Commercial Tourist	H-1 & C-2	Electrical substation & undeveloped

Related Applications

Application Number	Request
NZC-21-0056	A zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-21-0057	A vacation of 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

This request meets the tentative map requirements as outlined in Title 30; however, since staff does not support NZC-20-0056 staff cannot support this request.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 5, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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 Giles Street, 30 feet for Frias Avenue, 30 feet for Haven Street, 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

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

Building Department - Fire Prevention

- Applicant to show fire hydrant locations within 200 feet of dead ends.

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 #0333-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: RICHMOND AMERICAN

CONTACT: KIMLEY HORN, 6671 LAS VEGAS BLVD S., STE 320, LAS VEGAS, NV 89119



TENTATIVE MAP APPLICATION 5A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____
		PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____

PROPERTY OWNER	NAME: <u>BIG TETON LLC.</u>
	ADDRESS: <u>P.O. Box 370042</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89137</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Richmond American Homes</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>(702) 240-5605</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Kimley-Horn</u>
	ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 623-7233</u> CELL: _____
	E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-003, 177-28-401-004

PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

TENTATIVE MAP NAME: Timber Trails

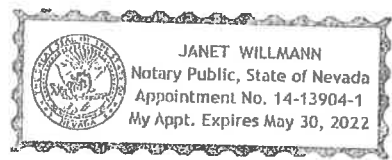
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

	<u>Dariusu Imani</u>
Property Owner (Signature)*	Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 21, 2020 (DATE)

By Dariusu Imani
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.



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____	DATE FILED: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
		TAB/CAC: _____	PC MEETING DATE: _____
		BCC MEETING DATE: _____	FEE: _____

PROPERTY OWNER	NAME: <u>Khusrow Roohani Family Trust</u>
	ADDRESS: <u>9315 W. Sunset Road, Suite 100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Richmond American Homes</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>(702) 240-5605</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Kimley-Horn</u>
	ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 623-7233</u> CELL: _____
	E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-011

PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

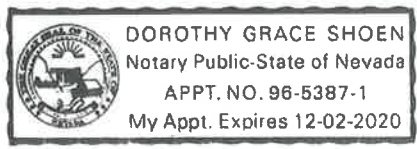
TENTATIVE MAP NAME: Timber Trails

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] _____ Khusrow Roohani
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10-22-20 (DATE)
 By Khusrow Roohani Trustee
 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.



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____
		TAB/CAC: _____ TAB/CAC DATE: _____
		PC MEETING DATE: _____
		BCC MEETING DATE: _____
		FEE: _____

PROPERTY OWNER	NAME: <u>Ramak Roohani</u>
	ADDRESS: <u>9500 Hillwood Drive, Suite 201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Richmond American Homes</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>(702) 240-5605</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Kimley-Horn</u>
	ADDRESS: <u>6671 Las Vegas Boulevard South, Suite 320</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 623-7233</u> CELL: _____
	E-MAIL: <u>eric.hopkins@kimley-horn.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-28-401-016

PROPERTY ADDRESS and/or CROSS STREETS: SEC Frias Ave and Giles St

TENTATIVE MAP NAME: Timber Trails

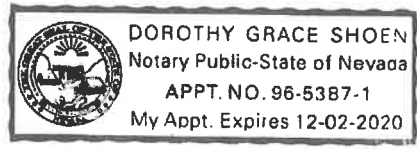
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* [Signature] Property Owner (Print) Ramak Roohani

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10-22-20 (DATE)
 By Ramak Roohani

NOTARY PUBLIC: Dorothy Grace Shoem



*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 26, 2021

Clark County
Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, Nevada 89155

**RE: Frias & Giles
Justification Letter for Land Use Application (Non-Conforming Zone Change, Waiver of
Development Standards and Design Review)
APNs: 177-28-401-003, 177-28-401-004, 177-28-401-011 and 177-28-401-016**

To whom it may concern,

Kimley-Horn, on behalf of Richmond American Homes of Nevada, is respectfully submitting this Justification Letter in accordance with the Land Use Application for a Non-Conforming Zone Change, Waiver of Development Standards and Design Review. The subject project is a proposed residential subdivision located at SEC of Frias Avenue and Giles Street (APNs: 177-28-401-003, 177-28-401-004, 177-28-401-011 and 177-28-401-016).

Project Description:

The approximate 9.5 acre site is currently vacant, undeveloped land zoned as Rural Estates Residential (R-E) and Limited Resort and Apartment (H-1) with a planned land use of CT – Commercial Tourist. The site falls within the Enterprise Land Use Plan Area, Community District 2. The site is bound by properties with existing zoning as follows:

- North: Limited Resort and Apartment (H-1)
- East: Rural Estates Residential (R-E)
- South: Multiple-Family Residential – High Density (R-4)
- West: Limited Resort and Apartment (H-1) and General Commercial (C-2)

In addition to the properties, the site is bound by Frias Avenue to the north, Haven Street to the east and Giles Street to the west.

The proposed project includes a rezone from Rural Estates Residential (R-E) and Limited Resort and Apartment (H-1) to Medium Density Residential District (R-2), which is offers an appropriate transition correlating with the surrounding zoning. The proposed project consists of fifty-one (51) single-family residential units with a minimum lot square footage of 4,750 square feet. The proposed lots measure a minimum of 50-feet by 95-feet. The resulting density for the subdivision is 5.4± du/ac. Access to the proposed development will be provided by proposed driveways off Giles Street and Haven Street.

The proposed architecture for the project includes 4 two-story plans that range in size from 2,520 square feet to 3,280 square feet. Each home will have 2-3 car garage, 3-6 bedrooms, and a 20' driveway. The proposed floor plans and elevations are included in the submittal package.

Perimeter landscaping and typical setbacks for R-2 zoned development will be maintained per Title 30 development standards. The proposed project will provide a minimum of 6 feet of landscape buffer along Giles Street, Frias Avenue and Haven Street. The proposed landscaping design will be consistent with the surrounding area and will conform with jurisdictional standards. All landscaping will comply with the approved Southern Nevada Regional Plant List.

Site improvements will comply with Clark County Title 30 Development Code and include paving, landscaping, curb, gutter, sidewalk, underground utilities, accessibility, and positive drainage. Half street improvements, including sidewalk, are anticipated along the Giles Street, Frias Avenue and Haven Street frontages adjacent to the development.

A Waiver of Development Standards is being requested for the street intersection off-set between the intersection of Giles Street and Avenue "C" and the intersection of Street "A" and Avenue "C." Per Section 30.52.052 of the County Code, the street intersections are to be off-set a minimum of one hundred twenty-five (125') feet measured from right-of-way to right-of-way, unless the streets are less than fifty (50') feet wide measured from back of curb. The proposed intersection off-set between Giles/Avenue "C" and Street "A"/Avenue "C" is one hundred and six (106') feet. The onsite private streets (Street "A" and Avenue "C") are thirty-nine (39') feet wide measured from back of curb. Giles Street, however, is planned to be fifty (50') wide measured from back of curb, making the code standard applicable. The Waiver of Development Standards is being requested to allow for the proposed intersection off-set with the justification that the onsite streets are private in nature and the development offers two (2) entries for fifty-one (51) lots, which reduces the traffic impact on the adjacent offsite streets. Furthermore, Giles Street has reduced traffic demand due to the adjacent developments because the Cactus Village development (APN:177-28-410-005) does not feature any access to Giles Street and the Nevada Power substation (APN:177-28-401-001/002) generates minimal traffic.

A Design Review is being requested for proposed fill over eighteen (18) inches. This existing site terrain features natural drainage courses that traverse the center of the site and the existing onsite grades currently sit below the adjacent streets by approximately 1' to 2'. The highest existing grade, at the southwest property corner, is 2277' and the lowest existing grade onsite, near the midpoint of the northern property boundary is 2264'. The maximum finished grade onsite is 2279'. Within the development of the residential community, the previously mentioned drainage courses will require up to 22,000 CY of fill, up to six (6) feet deep in order to protect the site from offsite storm water flows as well as create positive drainage to the offsite streets.

Given this description, we respectfully request a Non-Conforming Zone Change and Design Review for the proposed site layout and improvements. Further detail to support the Non-Conforming Zone Change is provided in the Compelling Justification submitted with this application.

We look forward to working with Comprehensive Planning for a favorable recommendation for the proposed development. Please do not hesitate to contact me at (702) 623-7233 if you have any questions or require any additional information.

Sincerely,

Kimley-Horn and Associates



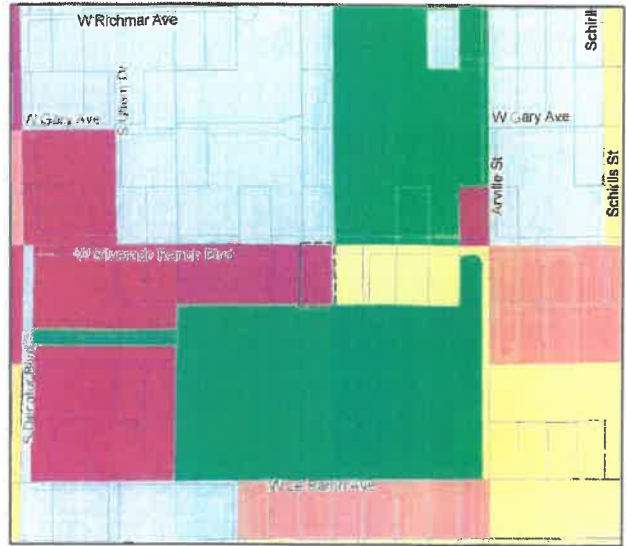
Eric Hopkins, P.E.
Owner/Developer Correspondent

CC: Angela Pinley, Richmond American Homes of Nevada



Adopted

Residential Suburban (RS)



Requested

Commercial Neighborhood (CN)

Comprehensive Planning

Enterprise Planned Land Use

PA-20-700149

Commission District F

DRAFT



Note: This map reflects parcels as they are currently configured.

0 500 1,000 1,500 2,000



Feet

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

Map created on: November 19, 2020



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04/06/21 PC AGENDA SHEET

PLAN AMENDMENT

SILVERADO RANCH BLVD/ARVILLE ST
(ENTERPRISE)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-20-700149-DOUBLE UP PROPERTIES, LLC:

PLAN AMENDMENT to redesignate 1.2 acres from RS (Residential Suburban) to CN (Commercial Neighborhood) in the Enterprise Land Use Plan.

Generally located on the south side of Silverado Ranch Boulevard, 840 feet west of Arville Street within Enterprise. JJ/pd (For possible action)

RELATED INFORMATION:

APN:

177-30-103-002

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Commission District: F
- Site Acreage: 1.2

Prior Land Use Requests

Application Number	Request	Action	Date
LUP-20-700103	Enterprise Land Use Plan Update to change from RS to CN	Cancelled by BCC	July 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park & Public Facilities	R-E & P-F	Undeveloped
South	Public Facilities	P-F	Undeveloped
East	Residential Suburban	R-E	Undeveloped
West	Commercial Neighborhood	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Community Planning

Staff finds the request for the CN Land Use designation is appropriate for this location. The subject parcel is adjacent to existing CN Land Use to the west, and the request complies with Goal 2 and Goal 9 of the Land Use Element of the Comprehensive Master Plan which encourages commercial land use at appropriate locations to provide a mix of uses in the area.

Staff Recommendation

Adopt. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 21, 2021 at 9:00 a.m., unless otherwise announced.

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

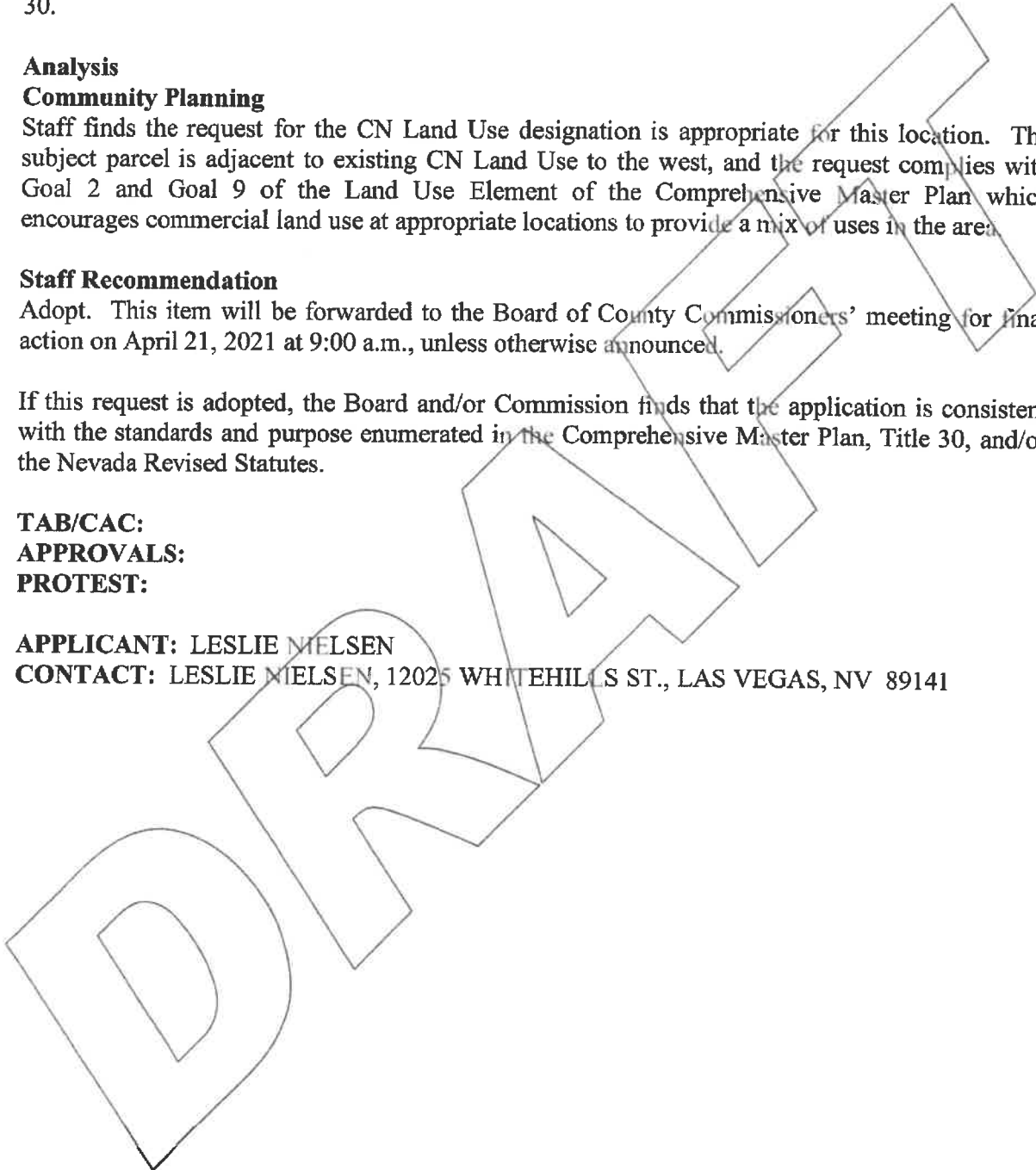
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: LESLIE NIELSEN

CONTACT: LESLIE NIELSEN, 12025 WHITEHILLS ST., LAS VEGAS, NV 89141



04/07/21 BCC AGENDA SHEET

MINI-WAREHOUSE
(TITLE 30)

ROBINDALE RD/DECATOR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400014 (NZC-0601-15)-ROBINDALE & ASSOCIATES, LLC:

ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 3.1 acres from R-E (Rural Estates Residential) Zone to M-D (Designed Manufacturing) Zone.
DESIGN REVIEWS for the following: 1) a mini-warehouse facility; and 2) recreational vehicle and boat storage.

Generally located on the north side of Robindale Road, 1,250 feet west of Decatur Boulevard within Enterprise (description on file). MN/jgh/jd (For possible action)

RELATED INFORMATION:

APN:
176-12-601-048

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:
Project Description

- General Summary
- Site Address: N/A
 - Site Acreage: 3.1
 - Project Type: Mini-warehouse facility with RV and boat storage
 - Number of Stories: 1 & 3
 - Building Height (feet): 18 to 45
 - Square Feet: 38,201
 - Parking Required/Provided: 13/41

Site Plans

The approved plans depict an irregular shaped 3.1 acre parcel. The Union Pacific Railroad right-of-way abuts the western property line and an overhead power line easement runs along the eastern property line adjacent to a single family residential development. The railroad easement extends into this site 100 feet along the west side, and when combined with the additional overhead power line easement that is 100 feet wide along the east side, leaves approximately 20,000 square feet of this 3.1 acre site that could support a structure and site improvements. The approved storage facility is a 1 & 3 story building that is 38,201 square feet and centrally located on the site, and is bounded by the railroad easement on the west and the overhead power easement on the east. The approved project will consist of 29,877 square feet of mini-storage

facility, which also includes a manager's unit, with 8,324 square feet of covered boat and RV storage (garage) adjacent to the main building. In addition, the approved project includes 30 uncovered, oversized parking spaces along the east side of the property.

Thirteen off-street parking spaces are provided with 1 space designated for handicap parking. The parking is adjacent to the main office and manager's quarters as required by Title 30 and outside the site's security gates. The site will have 1 access point from Robindale Road and is located towards the east side of the parcel. The drive aisle within the facility is a minimum of 27 feet, which is the standard for a mini-warehouse facility, although the site plan depicts a drive aisle that is slightly wider.

Landscaping

The approved plans depict 25 feet of street landscaping that incorporates an existing attached sidewalk that currently exists on a portion of the site frontage along Robindale Road. Additionally, since the site is a nonconforming development to the land uses in the area and the Land Use Plan, the plans depict the a 10 foot wide intense landscaping per Figure 30.64-12 along the east property line adjacent to an existing residential development. The approved parking lot landscaping is equitably distributed throughout the site.

Elevations

The approved plans depict a 1 & 3 story building with stucco textured siding, stone veneer, windows, faux windows, decorative metal roof, with tiled parapet, and CMU block that is painted to match the rest of the building. The 1 story portion of the building is 18 feet high and the 3 story portion is 35 feet to 45 feet in height. The 1 story portion of the building will have overhead roll-up doors along the east side of the building.

A rental office, business office, and manager's quarters are shown on the plans at the entry to the facility along the southeast portion of the building. The main entrance is defined with double entry doors and windows with external decorative features on the facade such as a stone accent.

Floor Plans

The approved plans depict the following on the first floor: 1) 927 square foot office; 2) 8,890 square foot storage unit area; and 3) 8,324 square foot storage garage area for RV and boat storage. The second floor consists of the following: 1) 1,013 square foot manager's apartment; and 2) 8,890 square foot storage unit area. The third floor consists of 9,981 square foot storage unit area.

Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400251 (NZC-0601-15):

Current Planning

- Until November 18, 2020 to complete.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for NZC-0601-15:

Current Planning

- A resolution of intent to complete construction in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Project to be developed as a mini-warehouse development with RV and boat storage only;
- Architectural enhancements and detailing on south and east elevations per plans;
- Design review as a public hearing for any significant changes to plans;
- Design review as a public hearing for signage and lighting;
- Facility to operate only during daytime hours as specified in Title 30;
- Block wall along the east property line to be decorative and all walls to be a minimum of 8 feet high, but the wall will not be required along the east property line if grade can be maintained along the east property line;
- To maintain continuity along Robindale Road with adjacent or contiguous developments, street landscaping to be in accordance with Figure 30.64-17 including a detached sidewalk;
- Intense landscape buffer per Figure 30.64-12, as depicted on plans, along the east property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment

(AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to provide adequate fire lanes and access measuring 24 feet throughout site on all drawings with compliance to 28 foot interior by 52 foot exterior turning radius.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at the time of development and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

Applicant's Justification

The applicant indicates an extension of time is needed due to the property owner's financial setbacks and inability to procure a construction loan to finish the project. The applicant also indicates that previous approvals from public works, fire, and the building department have expired; however, they plan to re-file the necessary applications. The applicant understands that the process to acquire the necessary permits again will take time; therefore, an extension of time for 18 months to complete is requested.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400251 (NXC-0601-15)	First extension of time to reclassify 3.1 acres from R-E to M-D Zoning for a mini-warehouse facility and a recreational vehicle and boat storage	Approved by BCC	January 2019
NXC-0601-15	Reclassified 3.1 acres from R-E to M-D Zoning for a mini-warehouse facility and a recreational vehicle and boat storage	Approved by BCC	November 2015
NXC-0327-08	Reclassified 3.1 acres from R-E to M-D Zoning for a mini-warehouse facility and a recreational vehicle and boat storage - expired	Approved by BCC	June 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-2	Open space/park
South	Public Facilities	R-E & M-1	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
West	Business and Design/Research Park	M-1	Manufacturing

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.

Although the applicant has experienced delays in completing the project, it appears they have made some progress with the Public Works department. Application PW17-24486-P600 is active in the system. In addition, circumstances in the area have not changed and the proposed project is still compatible with development in the area; therefore, staff has no objections to this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until November 18, 2022 to complete.
- 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: JEFFREY ENGLEHART

CONTACT: JEFFREY ENGLEHART, 1716 HORIZON RIDGE PKWY. HENDERSON, NV
89012

DRAFT



LAND USE APPLICATION 7A

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>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) NZC-0601-15 _____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>ET-21-40014</u> DATE FILED: <u>1/28/2021</u></p> <p>PLANNER ASSIGNED: <u>J&H</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/10/21</u> 6:00 pm</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>4/7/21</u></p> <p>FEE: <u>\$600</u></p>
	PROPERTY OWNER	<p>NAME: <u>ROBINDALE & ASSOCIATES LLC</u></p> <p>ADDRESS: <u>1291 Puerta del Sol</u></p> <p>CITY: <u>San Clemente</u> STATE: <u>CA</u> ZIP: <u>92673</u></p> <p>TELEPHONE: <u>(949) 488-2922</u> CELL: <u>(949) 337-0377</u></p> <p>E-MAIL: <u>val@impactbearing.com</u></p>
	APPLICANT	<p>NAME: <u>JEFF ENGLEHART</u></p> <p>ADDRESS: <u>1700 Horizon Ridge Pkwy # 102</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u></p> <p>TELEPHONE: _____ CELL: <u>(702) 501-5107</u></p> <p>E-MAIL: <u>Jeff.englehart@</u> REF CONTACT ID #: _____ <u>hotmail.com</u></p>
	CORRESPONDENT	<p>NAME: <u>Evan Vause (Architect)</u></p> <p>ADDRESS: <u>1575 W. Horizon Ridge Pkwy # 530543</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u></p> <p>TELEPHONE: <u>(702) 636-7625</u> CELL: <u>(702) 286-4790</u></p> <p>E-MAIL: <u>evan@cypress</u> REF CONTACT ID #: _____ <u>architecture.com</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-12-601-048

PROPERTY ADDRESS and/or CROSS STREETS: ROBINDALE & CANYON Rain St.

PROJECT DESCRIPTION: Self Storage

(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 Clerk 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 Clerk 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.

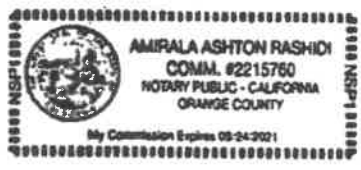
RICK KAY
Property Owner (Signature) Property Owner (Print)

STATE OF California
COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON 10/29/2020 (DATE)

By Richard Kay

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.

Justification Letter (Extension of Time)

ET-21-400014

Project Name: Robindale Self Storage	Date: 10 November 2020	Project #
Location: 5300 W. Robindale Rd.	Pages: 1 of 3	Arch. Phase: 01

PLANNER
COPY

Property Identification Number:

176-12-601-048

The Request:

An Extension of time (30.16.200), to complete revised construction drawings and start construction of a Self Storage facility. Respectfully requesting an 18 Month Extension of time.

Project Name:

Robindale Self Storage

Project Location

The project will be located just 99 feet to the West of intersection of W. Robindale Rd. & Canyon Rain St.

Project Description:

Gated facility is a 3 Story / 30,958 sqft with a manager's apartment (or) can be additional Storage area, and Office on 1st level. In addition, there will be 8,300 sqft of Boat / RV Garages, and lastly there is 30 open Parking places.

Project Justification:

Owner has conducted very extensive amount of professional service work done in order to be eligible for a Building Permit in year 2018. However, due to the owner's primary business having significant financial setbacks, owner was unable to procure a construction loan 2018 and thus project has sat idle. As a result most of the architectural and the various engineering codes expired and now all must be updated and then go back thru permit process with County public works, fire, and building department . This process will likely take up to 9 months, before we are able to pull a building permit.

First, "Robindale Self Storage" will not have any adverse effect on surrounding public services. Moreover, it will actually make neighborhood community more secure, in that this facility will serve as a secure passive vault type of project that will have night lighting, controlled code to access the facility in conjunction with video monitoring 24 hours a day. A state of the art security system will be active, all year round and this shall contribute to safety and general welfare of area residents in this new area.

Second, Our buildings along with landscape buffers will serve as a transition, from the railroad travel corridor to a residential neighborhood within this developing area. This facility will serve the community with storage of vehicles, personal goods, etc. for area homes and businesses. This type of facility will have minimal impact on the public facilities, services, access roads, and traffic. It should be noted that our trip generation is significantly lower than the majority of other Industrial and commercial uses currently allowed under Enterprise Land use Plan.

Third, Upon project completion there will be an improved area aesthetic through extensive landscaping which will add character to this developing neighborhood. Moreover, project will feature an assortment of various types of Evergreen trees and Bushes, along the East, and South Property-lines, adjacent to the primary neighborhood right of ways.

RIGHT-OF-WAY
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400012 (ZC-1198-07)-CHELSEI HOLDING, LLC:

WAIVER OF CONDITIONS of a zone change requiring right-of-way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

191-08-801-003; 191-08-801-004

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10

Request

This request is to not dedicate 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue as required by the original application, ZC-1198-07. The original zone change request was for future commercial development. A companion application, UC-21-0033, is currently in process for a multiple family residential development with retail uses, and the proposed development does not propose construction of Mullen Avenue.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1198-07:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing on final plans;
- All applicable standard conditions for this application type.

Civil Engineering

- Applicant to perform a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South, a transportation study shall identify the necessary improvements in relation to the determination of necessary rights-of-way;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width;
- Right-of-way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue;
- Construct full off-sites;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance;
- Submit drainage study and traffic study to City of Henderson for concurrence;
- Traffic study to also address: a) any physical improvements and pedestrian volumes generated by this project, b) dedication and construction of bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission Standards, c) identification and implementation of Traffic Demand Management (TDM) measures, d) turnover analysis for the porte-cocheres and recommendation of mitigation measures as applicable, e) any additional right-of-way dedications to Clark County as required by the traffic study to accommodate any physical improvements and pedestrian volumes generated by this project, f) the required width of all public walkway segments so that a minimum Level of Service "C" is maintained, g) identification and implementation of Traffic Demand Management, h) on-site circulation;
- Traffic impact mitigation plan to be reviewed by the staffs of the Regional Transportation Commission, Freeway and Arterial System of Transportation (FAST), Clark County Traffic Management Division, and Clark County Civil Engineering Division;
- Vacate any unnecessary rights-of-way and/or easements.

Applicant's Justification

According to the applicant, dedicating and constructing Mullen Avenue would make the circulation and structure placement for the proposed multiple family residential development unfeasible.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Commercial Tourist	No zoning & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	No zoning	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	No zoning	Clark County School District transportation facility

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

Related Applications

Application Number	Request
UC-21-0033	A use permit for a multiple family residential development with retail uses 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

Waiver of Condition

Staff has no objection to not dedicate Mullen Avenue with a County approved cul-de-sac. The Bureau of Land Management (BLM) parcels to the south and west within the City of Henderson have been developed without the dedication of Mullen Avenue. Those parcels have access to both Las Vegas Boulevard and Welpman Way; therefore, the Mullen Avenue alignment is not needed.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Building Department - Fire Prevention

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds (inside turning radius is 28 feet).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; that for any sanitary sewer needs, applicant is advised to contact the City of Henderson to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel; and that an interlocal agreement with City of Henderson will also be required.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SEAN COULTER

CONTACT: SEAN COULTER, SIMPSON COULTER STUDIO, 151 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119



LAND USE APPLICATION 8A

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 (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>ZC-1198-07</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>1/28/21</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>\$650⁰⁰</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>N</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N APPROVAL/DENIAL BY: <u>—</u>	APP. NUMBER: <u>WC-21-400012</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>3/10/21</u> TIME: <u>6pm</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>4/7/21</u> ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>ENTCT</u> NOTIFICATION RADIUS: <u>1000</u> SIGN? Y / <input checked="" type="checkbox"/> N LETTER DUE DATE: <u>—</u> COMMENCE/COMPLETE: <u>—</u>
	PROPERTY OWNER	NAME: <u>The Chelsei Holding, LLC</u> ADDRESS: <u>1883 Foro Romano St</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89044</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	APPLICANT	NAME: <u>Sean Coulter, Simpson Coulter Studio</u> ADDRESS: <u>151 E. Warm Springs Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-435-1150</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Sean Coulter, Simpson Coulter Studio</u> ADDRESS: <u>151 E. Warm Springs Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-435-1150</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 191-08-801-003 & 191-08-801-004

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

PROJECT DESCRIPTION: High-rise condominium project with parking garage and retail

(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.

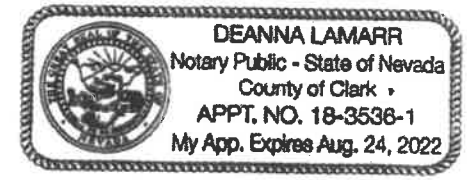
 Property Owner (Signature)*

Tony Phu Nguyen
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 17, 2020 (DATE)
 By Tony Phu Nguyen

NOTARY PUBLIC: Deanna Lamarr



*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 26, 2021

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

WC-21-400012

Re: Chelsei Condominium – Las Vegas Boulevard & Welpman Way
Justification Letter

- Waiver of Conditions

Application Number: WC-21-400012
A.P.N. 191-08-801-003, 191-08-801-004
7.53 Net Acres

To Whom It May Concern:

PROJECT OVERVIEW:

Chelsei Holdings, LLC wishes to build a Highrise condominium along Las Vegas Blvd south of Welpman Way. The condominium consists of 307 residential units, a sales office, spa and gymnasium, rooftop deck and pool spaces, public retail space, and attached parking garage. The residential tower square footage including sales, retail, spa and gymnasium will be 510,900s.f. with attached parking garage 261,000s.f., for a total of 726,900 s.f.. Rooftop decks and pool will cover 80,733 s.f.. Both the site and parking garage will include a total of 815 parking spaces, (4) bicycle racks that will accommodate up to (16) bicycles, and (2) loading spaces. The site meets the landscape requirements of the proposed zone and use, and the onsite parking lot lighting will provide increased security and conform to Development Standards. The parking garage will be screened with painted metal mesh to further enhance property aesthetic.

WAIVER OF CONDITIONS

Chelsei Holdings LLC is requesting a Waiver of Conditions in conjunction with application ZC-1198-07 for the following:

1. It is Chelsei Holdings LLC's intent to request a waiver of conditions in conjunction with a vacation application to vacate the future right of way and patent easement, Mullen Avenue. The Current positioning of the right of way would make the current circulation, fire access routes, and structure placement unfeasible.

Please feel free to contact me with any questions you may have or additional information you may need.

Respectfully,

Sean Coulter
Principal
702.435.1150
scoulter@simpsoncoulter.com

04/07/21 BCC AGENDA SHEET

MULTIPLE FAMILY
RESIDENTIAL DEVELOPMENT
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0033-CHELSEI HOLDING, LLC:

USE PERMITS for the following: 1) multiple family residential development; 2) retail; and 3) project of regional significance.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) non-standard improvements in the right-of-way.

DESIGN REVIEWS for the following: 1) multiple family residential development with retail uses; and 2) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. MN/jt/d (For possible action)

RELATED INFORMATION:

APN:

191-08-801-003; 191-08-801-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 203 feet where 100 feet is the maximum per Table 30.40-7 (a 103% increase).
2. Allow non-standard improvements (landscaping, driveways, and walkways) in the right-of-way (Las Vegas Boulevard South) where not allowed per Chapter 30.52.

DESIGN REVIEWS:

1. Multiple family residential development with retail uses.
2. Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.52.040 (a 167% increase).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10
- Number of Units: 307

- Density (du/ac): 30.7
- Project Type: Multiple family residential development with retail uses
- Number of Stories: 16
- Building Height (feet): 203
- Square Feet: 15,520 (retail portion only)
- Open Space Required/Provided: 30,700/100,000
- Parking Required/Provided: 682/788

Site Plan

The site plan depicts a multiple family residential building located near the center of the site with an attached retail portion of the building located between the residential portion and Las Vegas Boulevard South. Overall setbacks for the building are 93 feet to the north property line, 172 feet to the west property line, 61 feet to the south property line, and 87 feet to the east property line along Las Vegas Boulevard South. However, an additional 110 feet of landscaping, driveways, and walkways will be located within the Las Vegas Boulevard South right-of-way, which requires a waiver of development standards. A maintenance and central plant building is located in the northwest portion of the site, set back 10 feet from the north property line and 10 feet from the west property line.

Access to the site is provided by 2 driveways from Las Vegas Boulevard South, and drive aisles circle the perimeter of the site. A valet and pick-up/drop-off are located on the north side of the building, and surface parking spaces are located on the north, east, and west sides of the building; however, most of the parking spaces are provided in a garage podium that will be below the residential portion of the multiple family building. Lastly, a retail plaza is located on the north side of the retail portion of the building, and open space is provided for residents on the northwest side of the building in an area that includes landscaping, wash, and a trail.

Finished grade will be increased to a maximum of 4 feet.

Landscaping

Landscaping is provided around the perimeter of the site, within the surface parking spaces, and around the perimeter of the building. An additional 110 feet of landscaping is provided within the Las Vegas Boulevard South right-of-way to connect the edge of pavement with the property line for the project. A detached sidewalk is provided within the right-of-way, and another detached sidewalk is provided along the east property line.

Open space is provided in the resident area on the northwest side of the building, which is over 20,000 square feet, and within the rooftop decks with pools, which is over 80,000 square feet.

Elevations

The elevations of the building stair step upward in height from a 3 story component closest to Las Vegas Boulevard South, to a 7 story component, to a 12 story component, and lastly to a 16 story component along the western side of the site. Overall height of the 16 story portion of the building is 203 feet, which requires a waiver of development standards. Exterior materials include painted concrete, metal panels, low-e glazing, and an aluminum shade structure attached

to the side of the parking garage levels, which are the first 3 levels on the north, south, and west sides of the building.

Floor Plans

The basement level includes podium parking spaces; the first level includes parking spaces, a sales office, and retail spaces; and the second level includes podium parking spaces and a back of house area. Level 3 includes residential units and roof terrace areas; and levels 4 through 6, and 8 through 11 include residential units. Level 7 includes residential units and an additional roof terrace area. Level 12 includes residential units, gym, spa, additional roof terrace, and a rooftop pool. Levels 13 through 15 include residential units, and level 16 includes 2 bedroom units, penthouse units, and an additional rooftop pool. Overall unit count is 307 units, which consists of 40 single bedroom units, 229 two bedroom units, and 34 three bedroom units.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the proposed site design, scale, and building massing are similar to other mid-rise and high-rise developments along Las Vegas Boulevard South, and the project is consistent with Title 30 standards. The increased finished grade will optimize cut and fill construction, minimize drainage effects on adjacent parcels, and provide minimal overall change relative to building height.

The 2 waivers of development standards are appropriate for the site. First, the non-standard improvements in the right-of-way are necessary since it may be a significant amount of time before the right-of-way is fully constructed. In the interim, the improvements will be a significant improvement over leaving the area undeveloped. Second, the increase in overall height is appropriate in scale to similar uses along Las Vegas Boulevard South, and the building design complies with the vertical setback requirement from the right-of-way.

Lastly, the special use permits for multiple family residential and retail uses are appropriate in the H-1 zone, and the project of regional significance will not create a significant impact on infrastructure not already contemplated for the area.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

Surrounding Land Use*

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Commercial Tourist	No zoning & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	No zoning	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	No zoning	Clark County School District transportation facility

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

Related Applications

Application Number	Request
WC-21-400012 (ZC-1198-07)	Waiver of conditions of a zone change requiring right-of-way dedication for Mullen Avenue 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 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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Multiple family residential uses and retail uses are appropriate along Las Vegas Boulevard South. In addition, Land Use Goal 2 in the Comprehensive Master Plan encourages in part a mix of commercial and multiple family residential uses connected and integrated vertically. Also, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices. High-rise residential living options are appropriate at this location, which is adjacent to a transportation facility and undeveloped land. Lastly, although infrastructure may not be currently available since the site is adjacent to the City of Henderson at the south end of Las Vegas Boulevard South, the Clark County Comprehensive Master Plan anticipates intense Commercial Tourist uses at this location. As a result, infrastructure will eventually be available, and therefore, the project of regional significance is appropriate.

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

Increases in building height are generally appropriate in the H-1 zone along Las Vegas Boulevard South. Although this site is adjacent to a transportation facility and undeveloped land, the site is approximately one third of a mile from the M Resort Hotel located in the City of Henderson, which is a multiple story development. Also, the project will be visible from I-15 and there is no single family residential development in the area, which could be negatively impacted by the increased building height. As a result, staff can support the request.

Design Reviews

The site layout meets all setback, landscaping, and circulation requirements. Also, the building materials, elevations, scale, and massing are appropriate and aesthetically pleasing. Finally, the design complies with several policies in the Comprehensive Master Plan. For example, Growth Management Policy 13 encourages the integration of new housing and retail that is less auto dependent. Urban Specific Policy 19 encourages in part lower height buildings adjacent to streets to vary the building height and reduce the perceived mass. Lastly, Urban Specific Policy 51 encourages several amenities within multiple family projects such as usable open space and swimming pools. Since the design generally complies with Title 30 standards and the project is consistent with policies in the Comprehensive Master Plan, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is required to dedicate a portion of the property in order to accommodate a proportionate share of a 300 foot wide right-of-way on Las Vegas Boulevard South according to Title 30 and the Clark County Transportation Element. Staff has no objection to the proposed non-standard improvements (landscaping, structures and improvements) within the right-of-way since Las Vegas Boulevard South will not be improved to the ultimate width at this time.

Design Review #2

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

Department of Aviation

Federal Aviation Regulations (14 CFR, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway or for any structure greater than 200 feet in height. Therefore, as required by 14 CFR Part 77,

and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 300 foot wide right-of-way;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements (landscaping, buildings, structures, and improvements) are within a portion of the area planned for a 300 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Owners or its successors shall remove any non-standard improvements (landscaping, buildings, structures, and improvements) related to this application or any future applications within the right-of-way at its own expense, at the request of Clark County Public Works;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Vacate any unnecessary easements.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; for any sanitary sewer needs, applicant is advised to contact the City of Henderson to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel; and an interlocal agreement with City of Henderson will also be required.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: SEAN COULTER

CONTACT: SEAN COULTER, SIMPSON COULTER STUDIO, 151 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119



LAND USE APPLICATION

9A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>1/28/21</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>\$1,375⁰⁰</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>N</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-21-0033</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>3/10/21</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/7/21</u> ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>ENTCT</u> NOTIFICATION RADIUS: <u>750</u> SIGN? <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>The Chelsei Holding, LLC</u> ADDRESS: <u>1883 Foro Romano St</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89044</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	APPLICANT	NAME: <u>Sean Coulter, Simpson Coulter Studio</u> ADDRESS: <u>151 E. Warm Springs Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-435-1150</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>Sean Coulter, Simpson Coulter Studio</u> ADDRESS: <u>151 E. Warm Springs Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-435-1150</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 191-08-801-003 & 191-08-801-004

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

PROJECT DESCRIPTION: High-rise condominium project with parking garage and retail

(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)*

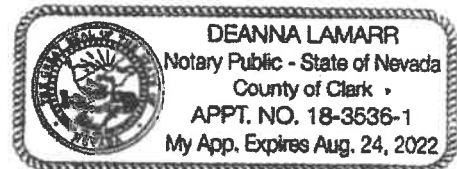
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 17, 2020 (DATE)

By Tony Phu Nguyen

NOTARY PUBLIC: Deanna Lamarr



*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 26, 2021

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

UC-21-0033

Re: Chelsei Condominium – Las Vegas Boulevard & Welpman Way
Justification Letter

- Land Use Application
- Design Review

A.P.N. 191-08-801-003, 191-08-801-004
7.53 Net Acres

To Whom It May Concern:

DESIGN REVIEW:

Chelsei Holdings, LLC wishes to build a Highrise condominium along Las Vegas Blvd south of Welpman Way. The condominium consists of 307 residential units, a sales office, spa and gymnasium, rooftop deck and pool spaces, public retail space, and attached parking garage. The residential tower square footage including sales, retail, spa and gymnasium will be 510,900s.f. with attached parking garage 261,000s.f., for a total of 771,900 s.f.. Rooftop decks and pool will cover 80,733 s.f.. Both the site and parking garage will include a total of 815 parking spaces, (4) bicycle racks that will accommodate up to (16) bicycles, and (2) loading spaces. The site meets the landscape requirements of the proposed zone and use, and the onsite parking lot lighting will provide increased security and conform to Development Standards. The parking garage will be screened with painted metal mesh to further enhance property aesthetic.

The proposed architecture of the new Highrise will be a significant improvement to the existing context conditions. Using lightly colored materials the proposed architecture is reminiscent of other Mid/Highrise properties located along Las Vegas Boulevard and similar high-end developments of related scope. The proposed buildings' scale, site design and building masses are compatible with adjacent developed areas and in compliance of architectural standards of Title 30. All mechanical operations will be screened from view by a central plant.

Grading: The proposed site work to accommodate the condominium and it's site amenities will alter the grade of the site beyond 18", but no greater than 4'. We believe this to be an improvement of existing site conditions, benefiting ADA, optimizing cut and fill construction, minimizing drainage effects on adjacent parcels, and providing minimal change relative to building height.

We believe the project will not have an adverse impact on public safety, transportation, utility and public services, or adverse impact on the natural environment. We also believe the project follows site planning, consistent with architectural standards of Title 30, and Long-Range Planning.

WAIVER OF NONSTANDARD IMPROVEMENT:

Chelsei Holdings LLC is requesting a waiver of nonstandard improvement as follows:

1. It is Chelsei Holdings LLC, intent to request a waiver of nonstandard improvements for landscape into the County right of way easement along Las Vegas Boulevard. Concurrent with both the contextual traffic flow and road size in the contextual area it will be a significant amount of time before County right of way is required. We believe this interim landscape to be a major improvement to existing conditions.

WAIVER OF DEVELOPMENT STANDARDS:

Chelsei Holdings LLC is requesting two Waivers of Development Standards, they are as follows:

1. It is Chelsei Holdings LLC, intent to request a waiver of development standards in order to increase building height beyond the 100' specified in H1 zoning. The current elevation complies with vertical setback and would be appropriate in scale to adjacent properties of similar use along Las Vegas Boulevard.

SPECIAL USE:

Chelsei Holdings LLC is requesting three Special Use Applications, they are as follows:

1. It is Chelsei Holdings LLC, intent to include 14,000 s.f. of retail space in the property. Per County Title 30 table 30.11.010, we believe this to be compliant special use of H1 zoning as it is being used as accessory in conjunction with residential development.
2. It is Chelsei Holdings LLC, intent to include 307 residential units on the property. Per Clark County title 30 table Table 30.40-7 (3) we believe the condominium usage to conform with R-5 development standards shown on Table 30.40-3.
3. Due to the proximity of the site within 500 feet of City of Henderson, a special use permit for a Project of Regional Significance is requested for multifamily residential and retail use. Per the Rise Report we believe the condominium to have an insignificant effect on current emergency services and roadway infrastructure. It is estimated that with current layout an additional 92 pupils may be enrolled into CCSD.

WAIVER OF CONDITIONS

Chelsei Holdings LLC is requesting a Waiver of Conditions in conjunction with application ZC-1198-07 for the following:

1. It is Chelsei Holdings LLC's intent to request a waiver of conditions in conjunction with a previous existing vacation application, ZC-1198-07, to abandon the future right of way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue. The Current positioning of the right of way would make the current circulation, fire access routes, and structure placement unfeasible.

This facility will comply with all County and State requirements for operation. We do not believe this facility will have any adverse impact on surrounding properties or businesses. Neither the residential or retail functions of this project will have a significant impact on public services, traffic, or any other external impact.

Finally, we believe this property with a new building will offer a greater value to existing and future members of the contextual area. We believe that Design Review approval for this project would comply with current policies and regulations and will adhere to the County's future land use and development plan consistent with the uses of adjacent properties.

Please feel free to contact me with any questions you may have or additional information you may need.

Respectfully,

Sean Coulter
Principal
702.435.1150
scoulter@simpsoncoulter.com

04/07/21 BCC AGENDA SHEET

MANUFACTURING BUILDING
(TITLE 30)

GOMER RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0058-LAS VEGAS PAVER MFG, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) eliminate mechanical equipment screening; and 3) off-sites (streetlights and sidewalks).

DESIGN REVIEWS for the following: 1) proposed light manufacturing building and 2) increase finished grade in conjunction with an existing light manufacturing establishment (paver manufacturing) on 4.5 acres in a M-1 (Light Manufacturing) Zone.

Generally located on the south side of Gomer Road, 292 feet east of Redwood Street within Enterprise. JJ/jor/jd (For possible action)

RELATED INFORMATION:

APN:

176-26-101-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required parking spaces to 31 parking spaces where 56 parking spaces are required per Table 30.60-1 (a 45 % reduction).
2. Eliminate the mechanical screening requirement per Table 30.56-2.
3. Waive off-site improvements (streetlights and sidewalks) per Chapter 30.52.

DESIGN REVIEWS:

1. Proposed light manufacturing building.
2. Increase the finished grade to 84 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 366% increase).

LAND USE PLAN:

ENTERPRISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6645 Gomer Road
- Site Acreage: 4.5
- Project Type: Manufacturing building
- Number of Stories: 1

- Building Height (feet): 28 (proposed manufacturing building)/43 (cement silo equipment)/27 (aggregate equipment)/13 (aggregate bins)
- Square Feet: 9,760 (light manufacturing building)/6,165 (curing kilns)/682 (electrical and personnel room)
- Parking Required/Provided: 56/31

History & Site Plan

ZC-0952-08 reclassified the site from R-E zoning to M-1 zoning for an equipment storage facility located on the northwest corner of the site. ZC-0952-08 was also approved for waivers of development standards for reduced parking to 24 parking spaces where 31 parking spaces were required, and eliminated street landscaping and off-site improvements (excluding paving) along Gomer Road.

WS-0601-16 approved a paver manufacturing establishment with an office building on the northeast corner of the site, and a main manufacturing building on the west half of the parcel. Waivers of development standards were approved to reduce parking to 31 spaces where 52 parking spaces was required per code, and a flat roof was allowed as part of the building design. Lastly, an off-site improvement waiver for sidewalks and streetlights along Gomer Road was also previously approved. The current site layout follows the approved plans via WS-0601-16.

Today, the applicant is proposing to add an additional paving manufacturing building centrally located on the southern half of the parcel. The proposed building is located between the existing manufacturing building to the west, and the existing office building to the northeast (previously approved via WS-0601-16). Access to the site will not change and is still located along Gomer Road. The submitted site plan also shows that 31 parking spaces and the existing trash enclosure still exist on the east half of the site, south of the office building.

Since the proposed building requires additional parking spaces per Title 30, the applicant is requesting to reduce the parking spaces again to 31 parking spaces where 56 parking spaces are required. Secondly, there is proposed mechanical equipment on the exterior of the building that cannot be screened due to the nature of the paver manufacturing process, which requires a waiver request. Since new development is proposed on the site, a new request to waive off-site improvements (sidewalks and streetlights) is also required. Lastly, a design review for increased finished grade is required on the east half of the proposed building.

Landscaping

There is an existing 10 foot wide landscape planter with existing 24 inch box trees spaced every 30 feet with shrubs and groundcover along Gomer Road. Attached to the landscape planter is an existing curb with no street lights and sidewalk. Parking lot landscaping exists on the south side of the existing office building (northeast corner of the site), and along the east property line. Additional landscaping and changes to the existing landscaping is neither required nor a part of this request.

Elevations

The proposed light manufacturing building has an overall height of 28 feet. The exterior elevations include pre-engineered tan colored vertical metal siding and CMU block on the

exterior walls of the proposed building. The north facing elevation includes mechanical equipment (cement silo, aggregate bins/equipment, and conveyor belt). The east facing elevation includes the CMU block wall with an entrance for personnel to access the fire room and the electrical room. The south facing elevation includes ventilator fans for the kiln room. Lastly, the west facing elevation includes a portion of the aggregate bins, a portion of the kiln room, and a large portion of the bottom half of the exterior wall is open for employee access and processing.

Floor Plans

The proposed floor plans include the following: a light manufacturing building with an overall area of 9,780 square feet, a kiln area with an overall area of 6,165, and an electrical and personnel room with an overall area of 682 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The submitted justification letter states that the proposed paver manufacturing building is complementary to the site. The request to reduce parking is warranted since no customers visit the site and most vehicle and pedestrian traffic is created by employees only. A traffic engineer conducted a traffic study on-site and stated that only 9 parking spaces (out of 31 existing parking spaces) were utilized in a 12 hour period. The new facility will only require 4 new employees. Paver manufacturing requires mechanical equipment on the exterior and interior of the building; therefore, screening mechanical equipment is not needed for the building design. Since a new building is proposed on site, an off-site waiver request for sidewalks and streetlights is required by Public Works. Gomer Road is paved and includes landscaping along the north property line of the subject parcel, with the exception of streetlights and sidewalks. The design review for increased finished grade is required so that the proposed building's finished grade matches the west half of the parcel as the site slopes downward to the east. The proposed building's finished floor elevation is based on needing 6 inches above a piece of loading equipment called a grizzly. Raw materials are unloaded into a conveyor system that is existing and was installed with the initial development and cannot be altered.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0601-16	Waived reduced parking, allowed a flat roof without a parapet wall, off-site improvements (sidewalks and streetlights), waived conditions of a zone change requiring the following: 1) right-of-way dedication to include 50 feet for Gomer Road; and 2) pave Gomer Road to 32 feet of paving; with a design review for a light manufacturing facility (paver manufacturing)	Approved by BCC	October 2016

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0952-08 (ET-0003-13)	Second extension of time for an equipment storage facility with reduced parking, eliminated landscaping, and waived off-site improvements	Approved by BCC	February 2013
ZC-0952-08 (ET-0001-11)	First extension of time for an equipment storage facility with reduced parking, eliminated landscaping, and waived off-site improvements	Approved by BCC	March 2011
ZC-0952-08	Reclassified the site from R-E to M-1 zoning, waivers for reduced parking, eliminate landscaping, and off-site improvements (excluding paving), with a design review for an equipment storage facility	Approved by BCC	January 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	R-E & M-1	Outside storage, office warehouse, & manufacturing
South	Industrial	R-E & M-1	Undeveloped
East	Industrial	M-1 & R-U	Undeveloped & Union Pacific Railroad
West	Industrial	R-E	Undeveloped

The subject site is within 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.

Waivers of Development Standards #1

Staff does not object to maintaining the existing parking count to 31 parking spaces where 56 parking spaces are now required per Title 30. Thirty-one parking spaces were previously approved where 52 parking spaces were required via WS-0601-16. The site has operated as a paver manufacturing establishment since the applicant completed construction in 2017/2018, and there have been no reported problems with parking on the site. The majority of the vehicular circulation is conducted by trucks loading and unloading raw materials and finished products

(pavers). Staff supports this request, since the reduction in parking will not have any adverse effects to the establishment or the surrounding area.

Waiver of Development Standards #2

The elevation plans show that the north facing elevation (facing Gomer road) includes mechanical equipment (cement silo, aggregate bins/equipment, and a conveyor belt), that are set back 158 feet from the right-of-way. Furthermore, the plans show that the south facing elevation includes ventilator fans for the kiln room. The site has a permitted and approved existing solid block wall around the entire perimeter of the site which provides ample screening for on-site mechanical equipment. Furthermore, there is an existing 10 foot wide landscaping strip adjacent to Gomer Road. The parcels adjacent to the south property line are undeveloped; therefore, the exterior ventilator fans on the south facing elevation does not pose immediate negative effects. Staff supports this request.

Design Review #1

The plans show that the proposed building design is consistent in architecture, functionality, and is harmonious to the existing buildings on-site. Since staff supports the waivers of development standards #1 and #2, staff can also support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the request to not install sidewalks and streetlights on Gomer Road. Sidewalks on public streets provide a safe pathway which helps prevent pedestrians from walking on the asphalt pavement on the roadway. Streetlights not only provide safety for motorists, but they assist in improving security, therefore, staff cannot support this request.

Design Review #2

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

Staff Recommendation

Approval of waivers of development standards #1, #2, and the design reviews; denial of waiver of development standards #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 Comprehensive Master Plan, Title 30, 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 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended (access to back of the kiln building).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; and to please contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LAS VEGAS RAVEN MFG. LLC

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



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>Las Vegas Paver MFG, LLC c/o J.Donkersloot</u> ADDRESS: <u>301 W. Elwood St.</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85041</u> TELEPHONE: <u>602-443-1403</u> CELL: <u>602-315-8254</u> E-MAIL: <u>jay@amt-america.com</u>
	APPLICANT NAME: <u>same as owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>LAS Consulting</u> ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>1655</u>

ASSESSOR'S PARCEL NUMBER(S): 176-26-101-06
 PROPERTY ADDRESS and/or CROSS STREETS: 6645 Gomer road
 PROJECT DESCRIPTION: Additional building on-site

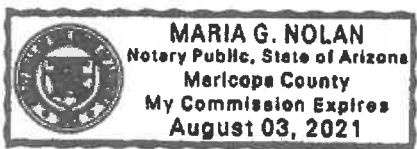
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

Daryl J. Donkersloot Daryl Jay Donkersloot
 Property Owner (Signature)* Property Owner (Print)

STATE OF ARIZONA
 COUNTY OF Maricopa

SUBSCRIBED AND SWORN BEFORE ME ON January 26, 2021 (DATE)
 By Maria G. Nolan

NOTARY PUBLIC: Maria G. Nolan



*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.

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January 28, 2021

Ms. Jillee Opiniano-Rowland, Senior Planner
Clark County Comprehensive Planning
500 Grand Central Parkway
Las Vegas, NV 89155

RE: APR-20-100978- Revised justification letter

Dear Ms. Opiniano-Rowland:

Please accept this letter as our request for a design review and waiver of development standards for an addition to an existing concrete manufacturing facility. The existing plant creates concrete pave stones on the site, they are dried, then stacked and stored in an open storage yard. This facility is located on the south side of Gomer Avenue, 330 feet east of Redwood Street, and is zoned M-1 and the Enterprise Land Use Guide designates the site as Industrial. This parcel is included in the proposed Arden Industrial Park where it is being suggested for a magnet foreign trade zone.

Existing Facility

The site plan shows an existing 2196 square foot office building, a 21,942 square foot metal manufacturing building, including curing kilns and control building. The entire site is surrounded an 8-foot block wall, with decorative features adjacent to the street. There is landscaping adjacent to Gomer, and Gomer is shown as a reduced right of way of 60 feet, instead of 100 foot right of way. Access is provided from two driveways on Gomer. The security gates will be open during business hours.

Previously a waiver of streetlights and sidewalks along Gomer was approved. In addition, a parking reduction of 40.4% was approved. When the facility was approved originally, the parking requirement was 2 parking spaces per 1000 square feet. The code was revised and

Making a Motion

March 10, 2021

If the motion is to approve or deny an application in its entirety, then state the motion to approve or deny and the application number (e.g. WS-21-0001).

If the motion is to approve some portions of a single application and to deny other portions, then specify the approval and denial for each component ***in the order they appear on the application***...*this is important to ensure every component has a corresponding motion.*

- If there are multiple portions to any waivers, acknowledge the motion for each portion
 - Approve waiver of development standards 1a, deny waiver of development standards 1b
- If there are multiple components to a design review, note each portion
 - Approve all design reviews
 - Approve design review 1, deny design review 2
- If a motion states changes to a component of an application, state those changes with that component
 - Approve zone change reduced to R-1 (where R-2 was requested)
 - Approve design review 1 to increase finished grade limited to 60 inches (where 72 inches were requested)

After addressing the components of the application, address Current Planning conditions and Public Works – Development Review conditions.

- If Staff recommends approval, state “per staff conditions”
- If Staff recommends denial on any portion of the application, state “per staff if approved conditions”
- If changing a condition, state the complete newly composed condition.
- If adding a condition, it should be succinctly worded and enforceable.

Once a motion is made the board may discuss that motion and make changes until a vote is taken. Once a motion is formulated and then a change is proposed, state the new motion in its entirety. The final motion should be plainly stated without additional discussion or explanation so it is clear to all present and for the record.

When a vote has been taken and a change to the motion is **immediately** proposed, a motion to reconsider must be made and approved by the board. Then changes to the previous motion can be considered following the above guidelines. Note: The Chair must determine if a motion to reconsider is appropriate. *Considerations include whether all interested parties are still in the room.*

If there are related but separate applications, take them in the order on which they rely upon each other.

- A tentative map should not be acted upon if the corresponding zone change, waivers and design review have not been acted upon.
- A vacation and abandonment may need to be approved in order to accommodate a proposed tentative map.

Any motion must be enforceable by Clark County:

- A motion should not include recommendations which require a new application (in such cases the recommendation should be for denial of what is in front of you)
 - Do not recommend a zone change from a conforming request to a non-conforming zone change
 - Do not recommend changes which require entirely new waivers to be filed
 - Do not add conditions to a denial
- A motion should not include recommendations which are not measurable or enforceable... Clark County Public Response Office (Code Enforcement) is the enforcement entity for Title 30 and must be able to effectively observe and enforce conditions.
 - Recommendations should not include conditions for which enforcement falls under other entities (i.e. Business License, Health District, School District, LVMPD, State Water Engineer)
 - Some agreements between the applicant and interested parties amount to a private agreement which may be difficult for the County to enforce. If an applicant has worked with neighbors and offers concessions or a list of conditions, those can be read into the record and included as part of your recommendation, but oftentimes these may not ultimately be enforceable.

Resolution of Intent (ROI) – means the approval by the Board of any zone boundary amendment reclassification which is conditional upon completion of the project, together with compliance with the action taken. Following any such reclassification, a document listing the conditions of the approval shall be jointly signed by the property owner and the County and recorded. If the project is not completed within the specified period of time, the property might revert to its original zoning.

Example TAB conditions:

ADD Current Planning condition:

- Design Review as a public hearing for significant changes to plans
- Design review as a public hearing for lighting and signage
- Construction traffic to enter from yyyyyy Ave. only
- Provide cross access to APN yyy-yy-yyy-yyy if compatible uses are developed.
- Wall sign yyyyy shown on the plans to be non-illuminated.
- Comply with yyyyyyyy color palette, street lighting designs and landscape palette.
- Restricted to Clark County daylight hours (defined in Title 30)

ADD Public Works - Development Review conditions:

- Southernmost driveway to be ingress only.
- Driveway on north end of property to be right out only.
- Extend a yyyyyyy Blvd centerline barrier to the south of the applicant's property.
- Provide a deceleration lane on yyyyyy Blvd. south.

now requires only 1.5 spaces per 1000 square feet. Most of the existing parking spaces are vacant or used for storage.

New Request

The new building is 16,875 square feet, consisting of a 9,760 square foot metal building, 6,165 square foot curing kilns, and a 682 square foot control building. The building will look like the existing building which received a waiver to allow a flat roof for the structure. We are requesting the same waiver for this new building.

We are requesting a design review to increase the proposed finished grade above 18 inches. The largest difference in grade on the east side of the building is 7 feet. The reasons are:

1. The building matches the existing grade on the west side. The site slopes to the east so the existing ground is dropping while the building stays level.
2. The building FFE is based on needing to be 6 inches above a piece of loading equipment called a "Grizzly". It is where the raw materials are unloaded into a conveyor system. This system is existing and was installed with the initial development and cannot be altered.

We are requesting an additional reduction in parking by not providing any additional parking spaces. The traffic engineer observed the facility during a 12-hour period and a total of 9 parking spaces were utilized, less than 30% of the spaces available. This new facility will only add 4 additional employees. Even if the new employees each drove a car, that still leaves 50% of the existing parking spaces available for usage. The site is almost entirely paved, the facility is mostly automated, and no customers visit the site. The code requires a parking count of 61 spaces if the entire site were calculated at 1.5 spaces per 1000 square feet, but the original site has a waiver to allow 31 spaces and the additional building square footage requires an additional 25 spaces. The new facility will have an additional 4 employees, and it is mostly truck traffic that visits the site to pick up the pavers and deliver them to offsite locations. Please see the attached analysis by the traffic engineer for the parking reduction. We are requesting a allow the existing 31 parking spaces to service the entire facility. In addition, we are requesting a waiver to the bike rack requirements. If any employee were to ride a bike to work, they could park it any where on-site. Again, no customers come to the property.

The aggregate bins on the northwest corner get loaded with raw material with a front loader. The material then travels to the mixer (machine in the middle) via conveyor belt. The silo contains cement. The cement gets pumped from the silo to the mixer (machine in the middle).

We believe this project will have minimal impact on the area for traffic because there are no customers to the site and most of the facility is either automated or used for drying the pavers. It will mostly be truck traffic, picking up product to deliver elsewhere. The site is

surrounded by BLM to the south and west, the railroad further east, and the school district to the north. In conclusion, our request is for:

Waivers of Development Standards

1. Reduce parking to 31 spaces where 56 is required.
2. Waive off-sites for streetlight and sidewalks on Gomer.
3. Eliminate screening for mechanical equipment.

Design Reviews

1. Increase finished grade to 7 feet where 18 inches is the maximum.
2. Proposed manufacturing building.

We respectfully request approval of this request. Please do not hesitate to contact me with any questions you might have.

Yours truly,

Lucy Stewart

Lucy Stewart

Possible actions on each motion element:

- ZONE CHANGE: Approve / Deny/ Reduce
- WAIVERS OF CONDITIONS: Approve / Deny / Amend
- WAIVERS OF DEVELOPMENT STANDARDS: Approve / Deny / Amend
- USE PERMIT: Approve / Deny / Amend
- VARIANCES: Approve / Deny / Amend
- VACATE AND ABANDON: Approve / Deny
- TENTATIVE MAP: Approve / Deny
- CURRENT PLANNING CONDITIONS: Add / Delete / Change
- PUBLIC WORKS CONDITIONS: Add / Delete / Change

