



# ENTERPRISE TOWN ADVISORY BOARD

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

March 15, 2023

6:00pm

## AGENDA

**Note:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702) 371-7991 or [chayes70@yahoo.com](mailto:chayes70@yahoo.com).
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/EnterpriseTAB>.

Board/Council Members     Justin Maffett, Chair  
   David Chestnut  
   Kaushal Shah

Barris Kaiser, Vice Chair  
Chris Caluya

Secretary:                     Carmen Hayes (702) 371-7991 [chayes70@yahoo.com](mailto:chayes70@yahoo.com)  
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

- I. Call to Order, Pledge of Allegiance, and Roll Call
  
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for March 1, 2023. (For possible action)
- IV. Approval of the Agenda for March 15, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
  - 1. **DR-23-0039-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS:**  
**AMENDED DESIGN REVIEW** for a freestanding sign (previously notified as a monument sign) in conjunction with an approved retail center on 1.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Meranto Avenue within Enterprise. JJ/sd/syp (For possible action) **03/21/23 PC**
  - 2. **VS-23-0021-CHURCH SOUTHERN HILLS BAPTIST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Pebble Road and Blue Diamond Road, and between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Pebble Road located between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Torrey Pines Drive located between Pebble Road and Blue Diamond Road within Enterprise (description on file). JJ/lm/syp (For possible action) **03/22/23 BCC**
  - 3. **UC-23-0020-CHURCH SOUTHERN HILLS BAPTIST:**  
**USE PERMITS** for the following: **1)** expansion of a place of worship; and **2)** reduce front setback.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative street landscaping; **2)** reduce parking; and **3)** modified commercial driveway standards.  
**DESIGN REVIEWS** for the following: **1)** proposed building and expansion to parking area; **2)** alternative parking lot landscaping; and **3)** finished grade on 5.0 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Pebble Road and the east side of Torrey Pines Drive within Enterprise. JJ/lm/syp (For possible action) **03/22/23 BCC**
  - 4. **NZC-23-0053-WIGWAM-PARVIN LIMITED PARTNERSHIP:**  
**ZONE CHANGE** to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.  
**USE PERMIT** for a senior housing project.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase building height; and **2)** modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** senior housing project with associated structures and uses; and **2)** finished grade in the CMA Design Overlay District. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise (description on file). MN/rk/syp (For possible action) **04/04/23 PC**

5. **VS-23-0054-GKT 4, LLC & BESUDEN, HENRY W. & CHARLOTTE:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Torrey Pines Drive and Redwood Street within Enterprise (description on file). MN/rk/syp (For possible action) **04/04/23 PC**
  
6. **UC-23-0056-BALAJI TRUST & MIRCHANDANI, ASHOK & SUPRIYA TRS:**  
**USE PERMITS** for the following: **1)** on-premises consumption of alcohol (supper club); and **2)** hookah lounge in conjunction with a restaurant on a portion of 4.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/sd/syp (For possible action) **04/04/23 PC**
  
7. **WS-23-0025-WHETSTONE, LARRY & BEVERLY:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks for accessory structures in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Ford Avenue, 150 feet east of Haven Street within Enterprise. MN/sd/syp (For possible action) **04/04/23 PC**
  
8. **ET-23-400015 (NZC-19-0881)-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 2.0 acres from an R-E (Rural Estates Residential) Zone to a C-2 (General Commercial) Zone.  
**USE PERMIT** to reduce the separation from a vehicle maintenance facility to a residential use.  
**DESIGN REVIEWS** for the following: **1)** restaurant buildings with drive-thru lanes; **2)** retail building; and **3)** vehicle maintenance facility. Generally located on the south side of Silverado Ranch Boulevard, 320 feet west of Arville Street within Enterprise (description on file). JJ/jud/syp (For possible action) **04/05/23 BCC**
  
9. **ZC-23-0045-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:**  
**ZONE CHANGE** to reclassify 19.9 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.  
**USE PERMIT** to allow loading spaces to not be screened from a public street.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall/fence height; **2)** permit alternative street landscaping; and **3)** reduced driveway throat depth.  
**DESIGN REVIEWS** for the following: **1)** a distribution center; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the northeast corner of Rainbow Boulevard and Richmar Avenue within Enterprise (description on file). JJ/al/syp (For possible action) **04/05/23 BCC**
  
10. **VS-23-0046-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Serene Avenue and Richmar Avenue, and between Rainbow Boulevard and Redwood Street; and portions of rights-of-way being a portion of Rainbow Boulevard located between Serene Avenue and Richmar Avenue and a portion of Richmar Avenue located between Rainbow Boulevard and Redwood Street within Enterprise (description on file). JJ/al/syp (For possible action) **04/05/23 BCC**

11. **UC-23-0048-MFE, INC:**  
**USE PERMIT** for a proposed food cart not within an enclosed building.  
**DESIGN REVIEW** for a proposed food cart in conjunction with an existing convenience store with gasoline sales on 3.8 acres in a C-1 (Local Business) Zone. Generally located on the south side of Cactus Avenue and the west side of Jones Boulevard within Enterprise. JJ/rk/syp (For possible action) **04/18/23 PC**

VII. General Business

1. None.

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: March 29, 2023.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Windmill Library – 7060 W. Windmill Lane  
<https://notice.nv.gov>



# Enterprise Town Advisory Board

March 1, 2023

## MINUTES

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Board Members	Justin Maffett, Chair <b>PRESENT</b> David Chestnut <b>PRESENT</b> Kaushal Shah <b>PRESENT</b>	Barris Kaiser, Vice Chair <b>PRESENT</b> Chris Caluya <b>PRESENT</b>
Secretary:	Carmen Hayes 702-371-7991 <a href="mailto:chaves70@yahoo.com">chaves70@yahoo.com</a> <b>PRESENT</b>	
County Liaison:	Tiffany Hesser 702-455-7388 <a href="mailto:TLH@clarkcountynv.com">TLH@clarkcountynv.com</a> <b>PRESENT</b>	

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### 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.

Steve DeMerritt, Current Planning

### II. Public Comment

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

- None

### III. Approval of Minutes for February 15, 2023 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published.

Motion **PASSED** (4-0)/ Unanimous.

### IV. Approval of Agenda for March 1, 2023 and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended.

Motion **PASSED** (4-0)/ Unanimous.

#### Hold Request:

1. DR-23-0039-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS: The applicant has requested a **HOLD** to the Enterprise TAB meeting on March 15, 2023.

Related applications:

2. NZC-23-0010-SZE, KUK-SUI & NG, KENNETH YU KIN:
3. VS-23-0011-SZE, KUK-SUI & NG, KENNETH YU KIN:
4. TM-23-500004-SZE, KUK-SUI & NG, KENNETH YU KIN:
  
7. VS-23-0021-CHURCH SOUTHERN HILLS BAPTIST:
8. UC-23-0020-CHURCH SOUTHERN HILLS BAPTIST

V. Informational Items

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

- **Mark your calendars and gather your electronic junk!**

Clark County is hosting an Electronic Recycling Drive from March 13 to 16 (Monday - Thursday). Participants may drop off their electronics at:

Clark County Government Center's lobby  
500 S. Grand Central Pkwy.

OR

Clark County Buildings Dept.  
701 W. Russell Road.

Accepted electronics: computers, laptops, wires, servers, flat screen computer monitors, VHS player, AV equipment, tablets, scanners printers and cellphones.

**\*\*CRT, tube. rear projection TVs or copiers will NOT be accepted.\*\***

VI. Planning & Zoning

1. **DR-23-0039-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS:**  
**DESIGN REVIEW** for a monument sign in conjunction with an approved retail center on 1.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Meranto Avenue within Enterprise. JJ/sd/syp (For possible action) **03/21/23 PC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on March 15, 2023

2. **NZC-23-0010-SZE, KUK-SUI & NG, KENNETH YU KIN:**  
**ZONE CHANGE** to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.  
**DESIGN REVIEWS** for the following: **1)** single family residential development; and **2)** allow a street to terminate into a hammerhead street design. Generally located on the southwest corner of Eldorado Lane and Bermuda Road within Enterprise (description on file). MN/gc/syp (For possible action) **03/21/23 PC**

Motion by David Chestnut

Action: **DENY**

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

3. **VS-23-0011-SZE, KUK-SUI & NG, KENNETH YU KIN:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Eldorado Lane and Maulding Avenue, and between Fairfield Avenue and Bermuda Road; a portion of right-of-way being Eldorado Lane located between Fairfield Avenue and Bermuda Road; and a portion of right-of-way being Bermuda Road located between Eldorado Lane and Maulding Avenue within Enterprise (description on file). MN/gc/syp (For possible action) **03/21/23 PC**

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

4. **TM-23-500004-SZE, KUK-SUI & NG, KENNETH YU KIN:**  
**TENTATIVE MAP** consisting of 8 single family residential lots and common lots on 2.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the southwest corner of Eldorado Lane and Bermuda Road within Enterprise. MN/gc/syp (For possible action) **03/21/23 PC**

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

5. **ET-23-400010 (ZC-20-0598)-RIVERVIEW LVB DEVELOPMENT, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: **1)** reduce the separation between on-premises consumption of alcohol establishments (taverns) to a residential use (multiple family); **2)** reduce the separation between outside dining, drinking (taverns), and cooking to a residential use (multiple family); and **3)** permit outside dining, drinking and cooking in conjunction with a tavern.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative landscaping adjacent to a less intensive (multiple family) use; **2)** eliminate street landscaping; **3)** increase building height; **4)** allow modified driveway design standards (no longer needed); and **5)** allow non-standard improvements within the right-of-way (Las Vegas Boulevard South).  
**DESIGN REVIEWS** for the following: **1)** shopping center; and **2)** finished grade on a 7.5 acre portion of 15.4 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Erie Avenue within Enterprise (description on file). MN/md/syp (For possible action) **03/22/23 BCC**

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

6. **ET-23-400014 (NZC-18-0865)-LMG NEVADA LAND EXPANSION, LLC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-65) zone to an M-D (Designed Manufacturing) (AE-65) zone.  
**DESIGN REVIEW** for an office/warehouse building. Generally located on the northwest corner of Windy Street and Capovilla Avenue within Enterprise (description on file). MN/tpd/syp (For possible action) **03/22/23 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
CHANGE Current Planning Bullet #1 to Read:Until January 23, **2025** to complete  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

7. **VS-23-0021-CHURCH SOUTHERN HILLS BAPTIST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Pebble Road and Blue Diamond Road, and between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Pebble Road located between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Torrey Pines Drive located between Pebble Road and Blue Diamond Road within Enterprise (description on file). JJ/lm/syp (For possible action) **03/22/23 BCC**

Motion by Justin Maffett

Action: **APPROVE** applicant's request to hold to Enterprise TAB meeting on March 15, 2023 to clarify parking situation

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

8. **UC-23-0020-CHURCH SOUTHERN HILLS BAPTIST:**  
**USE PERMITS** for the following: **1)** expansion of a place of worship; and **2)** reduce front setback. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative street landscaping; **2)** reduce parking; and **3)** modified commercial driveway standards. **DESIGN REVIEWS** for the following: **1)** proposed building and expansion to parking area; **2)** alternative parking lot landscaping; and **3)** finished grade on 5.0 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Pebble Road and the east side of Torrey Pines Drive within Enterprise. JJ/lm/syp (For possible action) **03/22/23 BCC**

Motion by Justin Maffett

Action: **APPROVE** applicant's request to hold to Enterprise TAB meeting on March 15, 2023 to clarify parking situation

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

9. **UC-23-0028-LEARY DUSTIN J:**  
**USE PERMIT** to increase the number of household pets (cats & dogs). **WAIVER OF DEVELOPMENT STANDARDS** to increase the number of household pets in conjunction with an existing single family dwelling on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Keifer Valley Street and the west side of Cimarron Road within Enterprise. JJ/sd/syp (For possible action) **03/22/23 BCC**

Motion by Chris Caluya

Action: **DENY**

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

Motion by Barris Kaiser

Action: **APPROVE** per staff if approved conditions

Motion **PASSED** (4-1) / Caluya-ay



10. **WS-23-0016-PN II INC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for setbacks.  
**DESIGN REVIEW** for finished grade on 21.0 acres in an R-1 (Single Family Residential) Zone and an R-D (Suburban Estates Residential) Zone. Generally located on the south side of Chartan Avenue, the north side of Starr Avenue, the east and south sides of Placid Street, and the east side of La Cienega Street within Enterprise. MN/bb/syp (For possible action) **03/22/23 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:**REMOVE** recreational vehicle pad spaces on lots 68, 69, 70, 75, 77 and 79

Per staff if approved conditions

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

11. **WS-23-0029-S C GILESPIE:**  
**WAIVER OF DEVELOPMENT STANDARDS** to allow a wall sign to face a residential development.  
**DESIGN REVIEWS** for the following: **1)** lighting plan; and **2)** a sign plan in conjunction with a mini-warehouse facility on 3.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Giles pie Street, 75 feet north of Silverado Ranch Boulevard within Enterprise. MN/al/syp (For possible action) **03/22/23 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- No illumination for the free-standing sign

Per staff conditions

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

VII. General Business:

1. Review the Enterprise Town Advisory Board bylaws (for discussion only).  
There are no changes to the bylaws. The TAB members were advised to review the bylaws.

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.

Three citizens spoke in opposition to the board decision on UC-23-0028. They believe the number of dogs and cats is too many for the home and neighborhood. They voiced their concerns about the safety of situation and felt the TAB did not take the situation as seriously as other matters on their agenda.

IX. Next Meeting Date

The next regular meeting will be March 15, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett

Action: **ADJOURN** meeting at 8:01 p.m.

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

## **BYLAWS AND PROCEDURES**

### **ENTERPRISE TOWN ADVISORY BOARD**

#### Article I – Name

The name of this advisory board shall be the Enterprise Town Advisory Board, as created by the Clark County Board of Commissioners, pursuant to Clark County Ordinance No. 1920, adopted on December 31, 1996.

#### Article II – Purpose

The purpose of this advisory board, pursuant to NRS 269.576 and County Code, Chapter 3.30, is to assist the Board of County Commissioners in governing the unincorporated town of Enterprise by acting as a liaison between the residents of the town and the Board of County Commissioners and to advise the Board of County Commissioners on matters of importance to the unincorporated town and its residents.

#### Article III – Members

- A. Members of the Enterprise Town Advisory Board must be a qualified elector (they must be qualified to register to vote but do not have to actually be registered) and live within the boundaries of the unincorporated town of Enterprise.
- B. Five members shall be appointed by the Board of County Commissioners to serve a two-year term, which will begin on the first Monday in January of odd-numbered years, and shall serve at the pleasure of the Board of County Commissioners.
- C. The provisions of chapter 3.01 of Title 3 of the Clark County Code on absences of appointed members of boards shall apply to absences of members of the Enterprise Town Advisory Board. The Enterprise Town Advisory Board shall follow the procedure established by the County Manager or his or her designee for the administration of chapter 3.01. The assigned staff member referred to in Clark County Code Section 3.01.10 shall be the County Liaison.
- D. Any member may resign his/her appointment by submitting a letter of resignation to the Board of Commissioners or Department of Administrative Services and sending a copy to the Chair of the Enterprise Town Advisory Board.
- E. When a vacancy occurs, the advisory board shall, at the request of the Department of Administrative Services, post a public notice of the opening soliciting applications and may recommend to the Board of County Commissioners a qualified replacement for the position.
- F. All advisory board members shall observe the standards of ethical conduct outlined in NRS 281A, Clark County Code, Chapter 2.42 and any resolution on Ethics

adopted by the BCC, and shall refrain from voting on any item that presents a conflict of interest.

- G. Each member of the Enterprise Town Advisory Board shall, at least once during the first year of his/her initial term of office, and annually during every subsequent year that he/she serves in office, attend training pursuant to 3.30.090:
  - 1. State statutes, regulations, local ordinances, resolutions and regulations concerning land use planning, development and any other subject matter that the Board of County Commissioners deems necessary; and
  - 2. The provisions of Chapter 241 of NRS (Meetings of State and Local Agencies).

#### Article IV – Officers

- A. Officers shall perform the duties prescribed by these bylaws.
- B. Officers of the Enterprise Town Advisory Board shall consist of a Chair and Vice Chair selected amongst the members of the advisory board, and shall be selected to serve a two-year term, or at the pleasure of the advisory board, beginning the first meeting in January of odd-numbered years.
- C. The Chair is not eligible to serve a consecutive term of office as chairperson or to serve as Vice Chair for the following term after being the chairperson.
- D. The Chair shall act as presiding officer at all regular and special meetings of the advisory board in accordance with the adopted Board of County Commission Rules of Procedure.
- E. The Vice Chair shall assume the responsibilities of the Chair in his/her absence.
- F. If a permanent vacancy occurs for the position of the Chair or Vice Chair, the advisory board shall select a Chair or Vice Chair from among the members of the advisory board to serve the remainder of the unexpired term, consistent with section IV. C.
- G. The Secretary of the advisory board shall ensure that each meeting has been legally noticed and posted pursuant to the Nevada Open Meeting Law.

#### Article V – Meetings

- A. The Enterprise Town Advisory Board shall hold regular meetings on the Wednesday prior to Planning Commission and Board of County Commission meetings, unless holidays or other conflicts dictate moving the meeting dates.
- B. All meetings shall be held at the Windmill Library, 7060 W. Windmill Ln., commencing at 6:00 p.m. or, in the case of an emergency or potential overcrowding,

at another location and/or time as determined by the Chair and properly noticed and posted pursuant to the Nevada Open Meeting Law.

- C. The regular meetings of the advisory board shall be held no less than once per quarter at the place, day and hour set forth in Sections A and B above.
- D. Any special meeting of the advisory board may be held at the call of the Chair at the time, date and place posted, pursuant to the Nevada Open Meeting Law.
- E. Three members of a five-member board shall constitute a quorum, and a quorum will be required to conduct any official business of the advisory board. Whenever a member abstains from voting because of a conflict of interest, the necessary quorum to act upon and the number of votes necessary to act upon the matter, as fixed by any statute, ordinance or rule, is reduced as though the abstaining member were not a member of the board.
- F. The Chair or Vice-Chair will coordinate with the Secretary and County Liaison to ensure actions and reasoning is accurately reported in the minutes.
- G. Each person appearing before the advisory board shall receive a fair and impartial hearing based solely on the merits of his/her petition, without regard to race, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin.
- H. Agendas
  1. All business for consideration shall be included on the agenda. The Chair shall rule as “out of order” the consideration of any matter not on the agenda, or in conflict with the bylaws. If any information or discussion item is introduced at a meeting and action is to be taken thereon, it shall be placed on the agenda for the next regular meeting of the board.
  2. The advisory board Secretary shall, in accordance with the uniform agenda format provided by the Department of Administrative Services, prepare the agenda in cooperation with the Chair and County Liaison, and post by 9:00 a.m., three full working days (not counting the meeting date) before the meeting in compliance with the Nevada Open Meeting Law.
  3. Items can be placed on an agenda by the Board of County Commissioners, Department of Administrative Services, Department of Comprehensive Planning, and any advisory board member, or as required by law. Citizens can request that an item be on an agenda, but whether the item appears on the agenda is at the discretion of the Chair and the Department of Administrative Services based on the issue, circumstances, appropriateness and ability of the advisory board to further the issue.
  4. Non-planning and zoning items for inclusion on the agenda must be submitted to the Secretary at least eight calendar days prior to the scheduled meeting.

The Secretary will combine requested items with the Planning & Zoning agenda provided by Department of Comprehensive Planning and post three full working days before the meeting.

5. Once action is taken on an item, the Town Advisory Board shall not re-hear the item unless there is (1) a timely request for rehearing (within five working days by a member voting in the majority); (2) a change of circumstance; or (3) sufficient passage of time that it is reasonable to revisit the item.

#### Article VI – Parliamentary Procedure

- A. All voting procedures shall be in accordance with the adopted Board of County Commission Rules of Procedure, except as otherwise outlined in these bylaws.
- B. A motion need not have a “second” before the motion may be put to a vote as provided for in “A” above.
- C. The Chair of the advisory board shall have the same right as any other board member to initiate a motion, question or debate, and vote on a motion.

SIGN  
(TITLE 30)

RAINBOW BLVD/MERANTO AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0039-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS:**

**AMENDED DESIGN REVIEW** for a freestanding sign (previously notified as a monument sign) in conjunction with an approved retail center on 1.9 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Rainbow Boulevard and the north side of Meranto Avenue within Enterprise. JJ/sd/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-22-701-012

**LAND USE PLAN:**  
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9375 S. Rainbow Boulevard
- Site Acreage: 1.9
- Project Type: Freestanding sign
- Freestanding Sign Height (feet): 20
- Square Feet: 158
- Parking Required/Provided: 85/89

**Site Plans**

The plans depict a retail center consisting of 2 in-line retail buildings and 1 restaurant pad site building with a drive-thru. The pad site building and the smaller in-line retail building are located along Rainbow Boulevard and the larger in-line retail building is located near the western property line. A shared cross access drive is shown along the north property line to the Walmart site. Parking is equitably distributed throughout the site with most of the parking spaces shown in the middle of the site. There is 1 main access point shown along Rainbow Boulevard. This request is by the applicant proposing a freestanding sign located along Rainbow Boulevard at the ingress/egress location. The proposed freestanding sign will be approximately 158 square feet and 20 feet in height. The freestanding sign will be located along Rainbow Boulevard ingress/egress and is set back from the right-of-way by 10 feet.

Landscaping

Landscaping is not required or part of this application.

Sign Elevations

The plans depict a proposed freestanding sign at 20 feet in height and 158 square feet in size with a steel frame, individual cabinet with white facing, faux stone base with LED illumination and acrylic lettering.

Applicant's Justification

The applicant states the request is a result of a condition of approval from the previous application (NZC-21-0254), which as part of the review mandated that all future signage and lighting be subject to a design review as a public hearing, including freestanding signs.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-21-0255	Vacated easements and right-of-way	Approved by BCC	August 2021
NZC-21-0254	Reclassified from R-E to C-1 zoning, waivers for reduced driveway approach distance, modified driveway design, off-site improvements, and design review for retail center, alternative parking lot landscaping, and finished grade	Approved by BCC	August 2021

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed Use	C-2	Commercial retail center
South	Neighborhood Commercial	C-1	Retail center
East	Business Employment	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

The proposed freestanding sign is in compliance with the requirements of Tile 30 and will not have a negative impact on the abutting developments. Setbacks to the right-of-way are being met at 10 feet and the applicant has proposed a freestanding sign, as shown on the plans, which is 40% less than what is allowed. In addition, the total sign face is 158 square feet where 390 square feet is allowed; therefore, staff can support this request as it will have minimal impact to the immediate area.



**Staff Recommendation  
Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ZMZS FAMILY TRUST & MALIK, UMER Z. TRS**

**CONTACT: MARK WHITEHOUSE, HIGH IMPACT SIGN AND DESIGN, 820 S. WIGWAM PARKWAY #100, HENDERSON, NV 89014**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# A1

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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 type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-23-0039</u> DATE FILED: <u>1/25/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/1/23</u> PC MEETING DATE: <u>3/21/23</u> BCC MEETING DATE: _____ FEE: <u>\$ 675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ZMZS Family Trust, UMER MALIK</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: <u>702-767-3764</u> E-MAIL: <u>UMERZMALIK1@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>ZMZS Family Trust, UMER MALIK</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: <u>702-767-3764</u> E-MAIL: <u>UMERZMALIK1@gmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Mark Whitehouse</u> ADDRESS: <u>820 S. Wlgwam Parkway # 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-336-3336</u> CELL: <u>702-336-3336</u> E-MAIL: <u>mwhitehouse@highimpact</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-22-701-012

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Meadows

PROJECT DESCRIPTION: \_\_\_\_\_

(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.

Umer Zahid Malik      Umer MALIK  
Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON October 10, 2022 (DATE)  
By Umer Zahid Malik  
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.



To: Clark County Comprehensive Planning Dept.  
500 Grand Central Pkwy  
Las Vegas NV  
89155

From: Mark Whitehouse  
High Impact Sign and Design  
820 S. Wigwam #100  
Henderson, NV 89014  
(702) 336-3336

DR-23-0039

November 1, 2022

RE: *Signage Design Review – Diamond Rainbow Center*

Comprehensive Planning,

We request a Signage and Lighting Design Review for public hearing an already approved retail center located at 9375 South Rainbow Boulevard Las Vegas, NV 89139.

Enclosed please find the Sign Plan Exhibit, Sign Calculations Table and Justification Letter.

The project will have the following signage which is compliant with Clark County Title 30.72 Sign Code and there are no waivers being requested.

- Sign A – Freestanding sign, this sign is being requested at a height of 20' where 35' is the maximum, which is a 40% reduction in height. Additionally the sign will be 158 square feet where 390 square feet is the maximum which is a reduction of 60% of what is allowed freestanding for signage square footage.

In closing, this freestanding sign will be compatible in materials **with the building's architecture**, colors, and finishes.

The sign will not negatively impact the surrounding neighborhood.

The lighting review exhibits are attached as well for this review.

Should you have any questions or require additional information, please feel free to contact our office.

Thank You

Regards,

Mark Whitehouse

820 Wigwam Parkway, Ste 100  
Henderson, NV 89014

(702) 736-7446 office  
(702) 644-0678 fax  
[www.highimpactsign.com](http://www.highimpactsign.com)

RIGHT-OF-WAY/EASEMENTS  
(TITLE 30)

PEBBLE RD/TORREY PINES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0021-CHURCH SOUTHERN HILLS BAPTIST:**

**VACATE AND ABANDON** easements of interest to Clark County located between Pebble Road and Blue Diamond Road, and between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Pebble Road located between Torrey Pines Drive and El Camino Road, and a portion of right-of-way being Torrey Pines Drive located between Pebble Road and Blue Diamond Road within Enterprise (description on file). JJ/tm/syp (For possible action)

RELATED INFORMATION:

APN:

176-23-501-003; 176-23-501-019 through 176-23-501-020

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT  
ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

**Project Description**

The applicant is proposing to develop an expansion to an existing place of worship. The request is to vacate 5 foot wide excess rights-of-way along Pebble Road and Torrey Pines Drive, and to vacate 33 foot wide patent easements.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-22-900239 (UC-19-0920)	Administrative extension of time for additional parking	Approved by ZA	April 2022
WS-20-0221	Increased the height of a freestanding sign in conjunction with an existing place of worship	Withdrawn	July 2020
UC-19-0920	Additional parking and waived off-site improvements	Approved by BCC	January 2020
VS-19-0919	Vacated 10 feet of Pebble Road and 5 feet of Torrey Pines Drive - expired	Approved by BCC	January 2020
WS-19-0584	Waived off-site improvements along Torrey Pines Drive and Pebble Road	Withdrawn	December 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0808-16	Vacated easements of interest to Clark County	Approved by PC	January 2017
UC-0595-15	School in conjunction with a place of worship	Approved by BCC	December 2015
UC-0078-15	Place of worship	Approved by BCC	April 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Undeveloped
South	Business Employment	R-E & H-2	School & undeveloped
East	Business Employment	M-1	Office/warehouse
West	Corridor Mixed-Use	R-2	Single family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

Application Number	Request
UC-23-0020	A use permit for an expansion to an existing place of worship 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 and right-of-way that are not necessary for site, drainage, or roadway development.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Comprehensive 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**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CHURCH SOUTHERN HILLS BAPTIST

**CONTACT:** JVC ARCHITECTS, 5385 CAMERON ST, SUITE 15, LAS VEGAS, NV 89118







# VACATION APPLICATION 2A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0021</u>	DATE FILED: <u>1/18/2023</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC: <u>ENTERPRISE</u>
		PC MEETING DATE: _____	BCC MEETING DATE: <u>3/22/2023</u>
		FEE: <u>\$ 875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Southern Hills Baptist Church of Las Vegas, LLC</u>
	ADDRESS: <u>6425 W. Pebble Rd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-388-7422</u> CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Southern Hills Baptist Church of Las Vegas, LLC</u>
	ADDRESS: <u>6425 W. Pebble Rd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-388-7422</u> CELL: <u>702-286-1453</u>
	E-MAIL: <u>fred@southernhillslv.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Jim Van Compernelle, JVC Architects</u>
	ADDRESS: <u>5385 Cameron St, Suite 15</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-871-3416</u> CELL: _____
	E-MAIL: <u>jotado@jvcarchitects.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-23-501-003, -019, -020

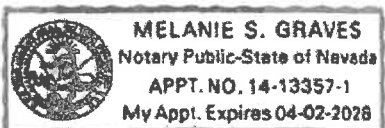
PROPERTY ADDRESS and/or CROSS STREETS: Torrey Pines Drive and Pebble Road

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.

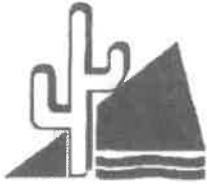
 Property Owner (Signature)*	 Property Owner (Print)
---------------------------------	----------------------------

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 4, 2022 (DATE)  
 By:   
 NOTARY PUBLIC: \_\_\_\_\_



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



***DWYER ENGINEERING, INC***  
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

November 2, 2022

Clark County Current Planning  
Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155

RE: Justification Letter – Vacation Application (Patent Easement)  
Southeast Corner of Torrey Pines and Pebble  
Lot 3, File 35 of Parcel Maps, Page 68  
APN: 176-23-501-003

Dear Clark County Current Planning:

We are requesting this Vacation of Patent Easement per the instance of the property owner. The original property was patented with an underlying patent reservation, Patent Number 1814145. Recorded as Instrument No. 1468:1427683.

The property is to be a fully developed parking lot for the abutting church and school and has no need for the 33 (thirty-three feet) on the East and South property boundary.

Therefore, we are formally requesting approval of the vacation of the underlying patent reservations.

Sincerely,

DWYER ENGINEERING, INC.

Thomas L. Hellums, P.L.S., W.R.S.  
President



**DWYER ENGINEERING, INC**  
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

January 5, 2023

Clark County Current Planning  
Clark County Government Center  
500 S. Grand Central Pkwy.  
Las Vegas, NV 89155

Re: Justification Letter – Vacation Application (Portions of Public Right-of-Way)  
Along Easterly Right-of-Way of Torrey Pines & Along Southerly Right-of-Way of Pebble Road  
APN: 176-23-501-003, -019, -020

Dear Clark County Current Planning:

1. Vacation along Torrey Pines (APN 176-23-501-003):

On behalf of Southern Hills Baptist Church owners and developer of APN 176-23-501-003, we are requesting the Vacation of a portion of the public right-of-way recorded as Instrument No. 1153:1112399, being that certain area along the east side of the S. Torrey Pines Drive alignment south of Pebble Road. The east right-of-way of Torrey Pines Dr. alignment is being reduced in width from 40' to 35' (the westerly right-of-way is already 35' wide).

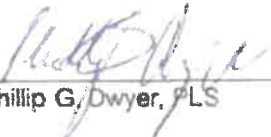
Therefore, we are formally requesting approval of the easterly 5' wide portion directly abutting said property, being Lot 3 of File 35 of Parcel Maps, Page 68.

2. Vacation along Pebble Road (APN 176-23-501-019, 020):

On behalf of Southern Hills Baptist Church owners and developer of APN 176-23-501-003, we are requesting the Vacation of a portion of the public right-of-way recorded as Instrument No. 20160107:02830, being that certain area along the south side of the Pebble Road alignment east of Torrey Pines Drive. The southerly right-of-way of Torrey Pines Dr. alignment is being reduced in width from 40' to 35'.

Therefore, we are formally requesting approval of the southerly 5' wide portion directly abutting said properties, being APNs 176-23-501-019 & 176-23-501-020.

Sincerely,  
DWYER ENGINEERING, INC.

  
Phillip G. Dwyer, PLS



PLACE OF WORSHIP  
(TITLE 30)

PEBBLE RD/TORREY PINES DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0020-CHURCH SOUTHERN HILLS BAPTIST:**

**USE PERMITS** for the following: 1) expansion of a place of worship; and 2) reduce front setback.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) reduce parking; and 3) modified commercial driveway standards.

**DESIGN REVIEWS** for the following: 1) proposed building and expansion to parking area; 2) alternative parking lot landscaping; and 3) finished grade on 5.0 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the south side of Pebble Road and the east side of Torrey Pines Drive within Enterprise. JJ/lm/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-23-501-003; 176-23-501-019 through 176-23-501-020

**USE PERMITS:**

1. Expansion of an existing place of worship.
2. Reduce the front setback to 14 feet 7 inches where 40 feet is required per Table 30.40-1 and Table 30.44-1 (a 63% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow alternative street landscaping (Pebble Road) where Figure 30.64-17 is required.
2. Reduce parking to 240 spaces where 309 spaces are required per Table 30.60-1 (a 22% reduction).
3. Reduce throat depth to 2 feet 8 inches along Pebble Road where 100 feet is required per Uniform Standard Drawing 222.1 (a 97% reduction).

**DESIGN REVIEWS:**

1. Proposed building and parking areas for an existing place of worship.
2. Allow alternative parking lot landscaping where parking lot fingers per Figure 30.64-14 are required.
3. Increase finished grade to 4 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 33% increase).

**LAND USE PLAN:  
ENTERPRISE - BUSINESS EMPLOYMENT  
ENTERPRISE - CORRIDOR MIXED-USE**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6425 Pebble Road
- Site Acreage: 5
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 36
- Square Feet: 14,800 (existing)/16,070 (proposed)
- Parking Required/Provided: 309/240 (Phase 1)/289 (Phase 2)

Request

The site was previously approved for, and consists of, a place of worship on the center parcel (APN 176-23-501-019) with parking on the east parcel (APN 176-23-501-020) which contains an access drive aisle for the school to the south. This application is to consolidate the prior land use requests and request a new place of worship building with redesigned parking area and access drive aisle for the school to go along with a future parking area on the west parcel (APN 176-23-501-003).

Site Plans

The plans depict an existing place of worship on the center parcel with a request for a new place of worship on the east parcel along with reconfigured parking and east ingress/egress drive aisle, as well as a future parking area on the west parcel.

**Phase 1:**

The proposed place of worship building is set back 20 feet from the right-of-way and the decorative cross at the northeast corner of the building is set back 14 feet 7 inches from the right-of-way. The existing basketball court, hall, and southerly parking areas are to remain unchanged. The east driveway will be redesigned to provide a 39 foot wide commercial driveway. Additionally, the redesigned east driveway meets the 100 foot throat depth required by Code, while there are no changes to the existing west driveway on Pebble Road. Parking for the Phase 1 portion of the site consists of 240 spaces (a 22% reduction).

**Phase 2:**

This phase consists of an additional parking area with ingress/egress driveway to Torrey Pines Drive, and landscaping along the street frontage and along the north and south property lines. Parking for Phase 2 consists of 289 spaces (a 6% reduction). The west driveway on Torrey Pines Drive has a depth of 28 feet to accommodate additional site parking.

Landscaping

The plans depict landscaping to be constructed in 2 phases. Phase 1 consists of landscaping with shrubbery on either side of the detached sidewalk along APN 176-23-501-019 where there are several existing trees located adjacent to the existing building. Additional street landscaping with the continuation of the detached sidewalk is located adjacent to the existing basketball court and the proposed place of worship building. Street landscaping along APN 176-23-501-020 includes trees on either side of the detached sidewalk, shrubbery, and groundcover. Parking lot landscaping is provided throughout the reconfigured parking area, and along both sides of the east driveway entrance throat depth, with additional trees provided along the south property line adjacent to the school site. Phase 2 consists of parking lot landscaping within APN 176-23-501-003 located along Torrey Pines Drive and adjacent to the less intensive use along the north and south property lines. Proposed landscaping materials match existing materials.

Elevations

Phase 1 consists of a single story, 30 foot high place of worship (church) to be constructed as part of an existing place of worship campus. The proposed design matches the existing place of worship; however, the colors are white, gray, and blue while the existing building consists of a range of desert tans and with blue pop-out accents. At the northeast corner of the proposed building is a metal cross painted with the blue accent color.

Floor Plans

The proposed place of worship consists of 16,070 square feet for lobby, restrooms, assembly seating, stage, backstage, green room, and video room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use is compatible with the existing place of worship and school to the south. The place of worship has an existing cross parking and access agreement with the school to the south for 71 parking spaces. The applicant also indicates that the additional worship space will allow for more uses to remain internal to the site and away from the adjacent houses. The reconfigured east commercial driveway will provide safe pedestrian access to the site as well as for access to the school to the south. The proposed landscaping adjacent to the new place of worship building and the Phase 2 parking area meets Code and redistributes required landscaping adjacent to parking areas.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADET-22-900239 (UC-19-0920)	Extension of time for expansion to a place of worship parking lot with waiver for off-site improvements and commercial driveway standards	Approved by ZA	April 2022

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0920	Expansion to a place of worship parking lot with waiver for off-site improvements and commercial driveway standards	Approved by BCC	January 2020
VS-19-0919	Vacated and abandoned a portion of Pebble Road and Torrey Pines Drive - expired	Approved by BCC	January 2020
WS-19-0584	Waiver for off-site improvements along Torrey Pines Drive and Pebble Road - withdrawn	Withdrawn	December 2019
UC-0797-15 (WC-0019-16)	Waived condition of a use permit requiring to provide a 10 foot wide landscape area with 1 row of trees planted generally 20 feet apart along the north property line on the south side of the drainage easement in conjunction with a place of worship	Approved by BCC	May 2016
UC-0797-15	Reduced the front setback for an approved place of worship with waivers to allow alternative street landscaping (Pebble Road) and along the south property line	Approved by BCC	January 2016
UC-0078-15	Place of worship with increased building height and reduced setback with waivers of development standards for alternative landscaping and off-site improvements	Approved by BCC	April 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Undeveloped
South	Corridor Mixed-Use & Business Employment	R-E & H-2	School & undeveloped
East	Business Employment	M-1	Office warehouse
West	Corridor Mixed-Use	R-2	Single family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

Application Number	Request
VS-23-0021	A request to vacate a portion of rights-of-way for Pebble Road and Torrey Pines Drive and 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**

### **Comprehensive Planning**

#### **Use Permits #1 & #2**

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

Staff finds that the proposed building expansion will not create an undue burden on public facilities or the surrounding neighborhood when considering the intermittent uses associated with a place of worship. The reduction in the front setback is minimal for the architectural detail (cross) that intrudes into the setback that is over 20 feet above grade and not for the building.

#### **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 & #2**

The proposed alternative landscaping along Pebble Road is minimal for the street frontage and includes existing trees to the north of the existing building and providing visual interest along the street frontage, while meeting the standards adjacent to the new development areas. Historically, the place of worship site and the school to the south have developed separately, including providing the necessary parking for each use on their own parcels. However, the two sites do have an Easement Agreement for shared ingress/egress access, parking, and utility easement. The agreement allows the two uses to provide additional parking area if needed for the other use. The Easement Agreement indicates the school hours between 7:00 a.m. to 5:00 p.m. weekdays, with no school events to include any portion of a Sunday. Staff finds the phased parking lots satisfactory as the site has shared parking with the school to the south while the site is under construction, and once operational. Providing additional parking with Phase 2 will further reduce the impact of parking into the surrounding neighborhoods and streets.

#### **Design Reviews #1 & #2**

The proposed parking lot landscaping is the same and compatible with the existing trees to match prior approval and meet quantity standard per Code. The request complies with Policy 6.2.1 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses. Additionally, prior conditions of approval have either been addressed with the updated site design or current development standards have been applied to the project to update the site. Staff can support these requests.

**Public Works - Development Review**

**Waiver of Development Standards #3**

Staff has no objection to the reduction in throat depth for the westernmost driveway on Pebble Road and the driveway on Torrey Pines Drive. The 3 driveways should see equal use, helping to mitigate potential conflicts caused by the reduced throat depth.

**Design Review #3**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Expunge UC-19-0920;
- Expunge UC-0078-15;
- Paint all buildings to match;
- Each phase shall not be occupied without final zoning inspection;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that when APN 176-23-501-001 is developed, detached sidewalks will be required or developed to current standards at that time; 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;

- Full off-site improvements;
- Cross access to APN 176-23-501-021 shall remain open at all times per recorded document 20150724:0002336.
- 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 the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Fire Prevention Bureau**

- No comment.

**Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0280-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: CHURCH SOUTHERN HILLS BAPTIST  
CONTACT: JVC ARCHITECTS, 5385 CAMERON ST, SUITE 15, LAS VEGAS, NV 89118**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING **3A**

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  <input type="checkbox"/> APPLICATION REVIEW (AR)	<b>STAFF</b> APP. NUMBER: <u>UC-23-0020</u> DATE FILED: <u>1/18/2023</u> PLANNER ASSIGNED: <u>HLN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>3/1/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/22/2023</u> FEE: <u>\$ 1650.00</u>
	<b>PROPERTY OWNER</b> NAME: <u>Southern Hills Baptist Church of Las Vegas, LLC</u> ADDRESS: <u>6425 W Pebble Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-388-7422</u> CELL: _____ E-MAIL: _____
	<b>APPLICANT</b> NAME: <u>Southern Hills Baptist Church of Las Vegas, LLC</u> ADDRESS: <u>6425 W Pebble Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-388-7422</u> CELL: <u>702-296-1433</u> E-MAIL: <u>frank@southernhillsnv.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>J-m Van Compernelle, JVC Architects</u> ADDRESS: <u>5385 Cameron St, Suite 15</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-871-3416</u> CELL: _____ E-MAIL: <u>jolado@jvcarchitects.net</u> REF CONTACT ID #: _____

**ASSESSOR'S PARCEL NUMBER(S):** 176-23-501-019 176-23-501-020 176-23-501-003

**PROPERTY ADDRESS and/or CROSS STREETS:** 6425 W Pebble Rd Las Vegas, NV 89139

**PROJECT DESCRIPTION:** New 16,000 sf one story Church and New Parking Lot

(I We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to make 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]      Frank [unclear]  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON May 24, 2023 (DATE)  
 By [Signature]  
 NOTARY PUBLIC [Signature]



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

# Southern Hills Baptist Church

## Justification Letter

December 7, 2022

UC-23-0020



To Whom It May Concern:

The applicant, Southern Hills Baptist Church, would like to request a special use permit, design review, and waiver of development standards for a new one story 16,070 sq. ft. church with parking lot improvements. They are located at the existing Southern Hills Baptist Church, 6425 W. Pebble Rd. Las Vegas, NV 89139. The properties included in this project are APN's 176-23-501-020 and 176-23-501-003. The middle property 176-23-501-019 will remain existing and no changes. The current zoning is RE with planned use of BE (Business Employment). The new project will be used as a worship space to continue and expand Southern Hills Baptist Church's existing ministry to the surrounding neighborhood.

The one-story church will accommodate approximately 1,300 seats. The materials and finishes will match the existing buildings to make a cohesive design in the existing campus. Colors will primarily be white for the field color with an accent paint of blue to match the Church's logo. The project will also include new hardscape and landscape around the new church. The highest elevation will be the corner wall of the church at 36'-0" high.

New parking lot spaces will be added to the existing parking lot. The project is planned to have two phases. Phase 1 will include the church and east parking lot while a future Phase 2 will be the west parking lot. For total parking provided, Phase 1 will include current parking lot of 146 parking spaces, plus the new east parking lot of 94 spaces, for a new on-site total of 240 parking spaces. The church also has a standing parking lot agreement with the adjacent property, Doral Academy. The shared parking agreement is 71 parking spaces. For a total of 311 parking spaces available to the church. The new church (16,070 sf = 161) and the existing worship building (14,800 sf = 148) in total requires 309 parking spaces.

For Phase 2, the west parking lot will add an additional 55 spaces. With the existing parking lot losing 6 spaces to provide access, the new total will be 289 on-site parking spaces. Plus the 71 shared parking agreement, for a grand total of 360 parking spaces available.

Southern Hills Baptist Church is also providing sidewalks inside the parking lot for ease of pedestrian use. Torrey Pines driveway has the sidewalk extending along the throat depth to protect pedestrians from walking where cars are getting in and out of the driveway. In Pebble Road, the sidewalk access has been extended to connect south to Doral Academy so pedestrians, especially children, can have a safer way to travel.

The applicant is requesting Special Use Permit for the following:

1. Allow a new place of worship to expand their existing ministry.
2. Reduce the front setback to 14'-7" (leading arm of the cross) where 40'-0" is required. While the leading arm of the cross is 14'-7" from the property line, the main building walls are 20'-0" from property line to match the existing worship building. Similar to the previously approved existing worship building, the intent is to keep church activities internally by providing more space inside the property and away from the adjacent houses.

The applicant is requesting Design Review for the following:

1. Design review of the new building and new parking lot for an existing place of worship.
2. Design review of alternative landscaping at new parking lot. The number of trees required by code has been provided on the site. Request of design review for the placement of the trees to accommodate existing conditions and to maximize parking area to get as much parking space available.
  - a. Along Torrey Pines Rd., tree for street frontage pushed back a bit to clear the previously approved existing monument signage.
  - b. Landscape fingers removed at areas to accommodate more parking. Trees required at these landscape fingers still provided at adjacent areas on site.
3. Design review to increase finished grade to 4 feet where 3 feet is allowed per Section 30.32.040.

The applicant is requesting waivers of Development Standards for the following:

1. Reduce on-site parking from the required 309 to 240 for Phase 1; and 289 for Phase 2. With the church's shared parking agreement with Doral Academy, the owners can provide 71 more parking spaces for the users – for a grand total of 360 parking spaces available.
2. Reduce the driveway throat depth for the existing driveway along Pebble Road to a minimum of 2'-8" where 100 feet is required per Uniform Standard Drawing 222.1. The church will comply to the 100 feet throat depth on the new church driveway.
3. Reduce the driveway throat depth for the new driveway along Torrey Pines (176-23-501-003) to a minimum of 28'-6" where 100 feet is required per Uniform Standard Drawing 222.1. The church will comply and provide 131 feet throat depth on the new church east driveway – which is more beneficial as access to both the church and the neighboring school. By reducing the throat depth, the west property can accommodate more parking spaces on-site.
4. Waiver of landscape development standards 30.64-17 on the street side landscape along Pebble Road on the previously approved property 176-23-501-019. The previously approved landscape that includes 11 street side trees to remain. The church will provide new landscape ground cover to match new landscape in the new project. The new project along 176-23-501-020 will meet development standards.

The applicant is applying for vacation of easements located in APN 176-23-501-003, 176-23-599-002, 176-23-599-010, and 176-23-599-011.

1. Vacation of the south and east 33' wide patent easement reservation.
2. Vacation of a portion of Torrey Pines Dr. (5' wide) being Clark County public right-of-way.
3. Vacation of a portion of Pebble Rd. (5' wide) being Clark County public right-of-way.

Applicant is also aware that the approval of this request will expunge previous land use applications UC-0078-15, UC-0797-15, and UC-19-0920.

JVC Architects along with the Southern Hills Baptist Church respectfully requests your approval for this project design review. Please contact our office with any questions or comments.

Sincerely,



Jim Van Compernelle  
President  
JVC Architects





SENIOR HOUSING  
(TITLE 30)

ARBY AVE/TORREY PINES DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-23-0053-WIGWAM-PARVIN LIMITED PARTNERSHIP:**

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

**USE PERMIT** for a senior housing project.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) senior housing project with associated structures and uses; and 2) finished grade in the CMA Design Overlay District.

Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise (description on file). MN/rk/syp (For possible action).

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**RELATED INFORMATION:**

**APN:**

176-02-301-019

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the building height up to 48.5 feet where 35 feet is the standard per Table 30.40-3 (a 39% increase).
2.
  - a. Reduce throat depth to 10 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (an 90% reduction).
  - b. Reduce the departure distance from an intersection to a driveway along Arby Avenue to 185 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 2% reduction).

**DESIGN REVIEWS:**

1. Senior housing project.
2. Increase finished grade to 72 inches (6 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 100% increase).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Units: 190
- Density (du/ac): 38
- Project Type: Senior housing
- Number of Stories: 4
- Building Height (feet): 48.5
- Open Space Required/Provided: 19,000/21,500
- Parking Required/Provided: 190/191

#### **Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on September 21, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 2 attendees present at the open house meeting for this item. One neighbor to the east supported the request, while the other neighbor (an owner of 1 of the office/warehouse buildings) had concerns about the potential conflict in uses between the proposed age restricted multiple family development and light industrial to the west. He also expressed concerns regarding the location of the proposed driveway on Arby Avenue.

#### Site Plan

The plans depict a proposed senior housing facility consisting of a single building near the center of the site. There will be a total of 190 units with a density of 38 dwelling units per acre. The complex will provide 1 and 2 bedroom units. The setbacks of the buildings are as follows: 81 feet to the south property line; 49 feet to the north property line; 95 feet to the east property line; and 64 feet to the west property line. Open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas which include a swimming pool. There will be 1 access point to the development from Arby Avenue to the south with a crash gate shown along Badura Avenue to the north. Internal circulation within the project consists of 25 foot wide drive aisles. Parking will consist of surface parking for both the visitors and residents with a majority of the spaces being covered.

#### Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along all 3 public street frontages. The perimeter landscaping includes a 6 foot wide landscape planter along the west interior property line with the trees 30 feet on center. The landscape materials include trees, shrubs, and groundcover. Interior to the site, open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas which include 3 recreational open space areas, a swimming pool, and deck area. The 3 recreation open space areas are on the west side of the building surrounded by 3 sides of the building in a courtyard fashion. The amount of passive and active open space is depicted at 21,500 square feet where 19,000 square feet is required.

Elevations

The residential building is 4 stories, 48.5 feet high, consisting of stucco, decorative cornice molding, canvas awnings, faux shutters, and metal balconies. The height of the building varies slightly from 41 feet to 48.5 feet and has been designed to break-up the roofline and enhance the overall look of the building. The exterior walls have a stucco finish painted in earth tone colors. The upper floor units will have balconies with wrought iron railings. The clubhouse, leasing office, and various additional amenities are internal to the building.

Floor Plans

The plans show a mix of 1 and 2 bedroom units consisting of 137, one bedroom units and 53, two bedroom units. The residential units are between 660 square feet and 960 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the site has a planned land use of Business Employment which allows for light industrial warehouse uses. The intensity of Business Employment which could impact additional truck traffic in the area is arguably more intense than an aged restricted multiple family development. Furthermore, the applicant states there have been recent trends in the general area for multiple family developments including 3 recent approvals for R-4 zoning on the west side of Redwood Street. Therefore, an R-4 zoned district, including an age restricted multiple family project, is appropriate for the area.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	RUD	Single family residential
West	Business Employment	M-D	Warehouse complex

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

Related Applications

<b>Application Number</b>	<b>Request</b>
VS-23-0054	A vacation of patent easements on the property 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**  
**Comprehensive Planning**  
**Zone Change**

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

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

The applicant indicates that there have been recent changes in the area in the last 2 years with the approval of 3 multiple family projects farther to the west across Redwood Street.

Although there are approvals of multiple family developments in the area, those developments are on the west side of Redwood Street which makes this development fully within an area that has single family residential development. Therefore, staff finds that there has not been a change in law, policies, trends, or facts that have substantially changed the character or condition of the area east of Redwood Street.

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 the site has a planned land use of Business Employment which allows for light industrial warehouse uses. The intensity of Business Employment which could impact additional truck traffic in the area is arguably more intense than an aged restricted multiple family development.

The intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. Staff finds the density and intensity of the proposed project, a senior housing development with a density of 38 dwelling units per acre, is incompatible with the density of the existing RUD development to the south and east.

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

The applicant states the proposed zone change will not result in any negative impacts on surrounding infrastructure not already contemplated in the area. Additionally, senior housing is generally viewed as less impactful than standard multiple family developments from a neighborhood standpoint and will not burden Clark County schools or roadways.

Service providers have not indicated that this project will cause a substantial adverse effect on public facilities and services. The facility is intended for adults aged 55 or older so there will not

be an impact to schools. There are existing public services and facilities in this area which will be utilized by this project. The plans also depict open space on site for recreational uses including a swimming pool and deck area. This open space with the recreational uses for the residents of the facility will off-set any increased demand for use of parks by the residents.

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

The applicant indicates the project accomplishes the Goals and Policies within the Master Plan, per the following: 1) The project achieves Goal 1.2.1 by expanding the number of long-term affordable housing units (the type of financing requires these apartments to stay affordable for up to 55 years); 2) The project achieves 1.1.1 by providing diversity in housing type that adds senior housing and differing income levels to the neighborhood; and 3) The project achieves 3.1.2 is met by providing strategies to reduce reliance on private automobile travel (providing in-house shuttle services to their residences).

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

### **Summary**

#### **Zone Change**

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. There has been a change in trend for development within the immediate area; however, that change is for compact lot single family residential developments not exceeding a maximum of 14 dwelling units per acre. The reclassification of this site to an R-4 zoning district would allow a density up to a maximum of 39 dwelling units per acre that is incompatible with the R-2, RUD, and M-D zoning districts in the immediate area (south of Badura Avenue). Although there have been recent approvals for multiple family developments farther to the west, those developments are on the west side of Redwood Street which makes this development fully within an area that has both single family residential development and light industrial warehouse uses.

However, given the context of the area, staff does acknowledge that an age restricted multiple family project at a lower density could provide an appropriate buffer between the warehouse uses directly to the west and the existing single family subdivisions to the south and east. There are a number of goals and policies within the Master Plan which address complementary uses between existing developments. Given that senior housing is typically deemed a low impact use, this project should not have any adverse effects on adjacent properties if it was to be approved at a lower zoning category such as R-3 zoning at a maximum density of 22 dwelling units per area. However, since the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-4 zoning, staff cannot support this request.

### Use Permit

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

The applicant is requesting a use permit to allow this site to be developed as a senior housing project. Per Title 30, senior housing is defined as a multiple family dwelling with all units intended for and occupied by at least 1 person 55 years of age or older. As a result, traffic, impact on schools, and other infrastructure and service demands may be reduced for persons over the age of 55, as compared to a non-age restricted multiple family development. In addition, the use complies with County goals to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. However, since staff is not supporting the nonconforming zone boundary amendment associated with this request, staff cannot support this request.

### Waivers of Development Standards

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

### Waiver of Development Standards #1

Staff cannot support the request to increase the height of the multiple family building. Immediately to the south and east of the project site, are 2 story and single story residences that would potentially be impacted by the height increase. Additionally, the office warehouse buildings directly to the west range in height from 32 feet to 36 feet high. The proposed height of the building is not compatible with the building height of the surrounding residential and industrial uses; therefore, staff does not support this request.

### Design Review #1

The senior housing project provides several amenities including open space, swimming pool, clubhouse, and fitness center. Furthermore, the building includes off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights. However, staff is concerned with the overall height as there are existing RUD single family residential subdivisions immediately to the south and east of the project site. Therefore, since staff is not supporting the nonconforming zone boundary amendment, use permit, and waivers of development standards, staff cannot support this request.

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

#### Waiver of Development Standards #2a

Staff cannot support the reduction in the throat depth in that it could result in stacking of vehicles into Arby Avenue, as the Arby Avenue driveway is the only access to the site.

Waiver of Development Standards #2b

Staff has no objection to the reduction in the departure distance for the Arby Avenue commercial driveway. The applicant placed the driveway as far west as the site will allow. However, since staff cannot support this application in its entirety, staff cannot support this waiver.

Design Review #2

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

**Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid 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.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 3, 2023 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

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

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels.
- 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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the



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

**Fire Prevention Bureau**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0421-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JAN GOYER**

**CONTACT: JAN GOYER, OVATION CONTRACTING INC., 6021 S. FORT APACHE ROAD #100, LAS VEGAS, NV 89148**





# LAND USE APPLICATION 4A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="margin-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>NZC-23-0053</u>      DATE FILED: <u>2-2-23</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>3-15-23</u></p> <p>PC MEETING DATE: <u>4-4-23</u>      R-E to R-4</p> <p>BCC MEETING DATE: <u>5-3-23</u>      Business Employment</p> <p>FEE: <u>\$3975.00</u>      MN</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Wigwam-Parvin Limited Partnership</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road #100</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u>      CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road, #100</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u>      CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u>      REF CONTACT ID #: <u>208832</u></p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road, #100</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u>      CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u>      REF CONTACT ID #: <u>208832</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-02-301-019

PROPERTY ADDRESS and/or CROSS STREETS: South Torrey Pines Drive and West Arby Avenue

PROJECT DESCRIPTION: Senior Affordable Multi-family Apartments

(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]      REINIER SANTANA  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 13, 2023 (DATE)  
 By Reinier Santana

NOTARY PUBLIC: [Signature]



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

[aceleste@kcaclaw.com](mailto:aceleste@kcaclaw.com)

702 893 4215

December 15, 2022

VIA UPLOAD

CLARK COUNTY COMPREHENSIVE PLANNING

500 S. Grand Central Parkway, 1<sup>st</sup> Floor

Las Vegas, NV 89106

**Re: *Compelling Justification Letter – Non-Conforming Zone Change; Design Review and Special Use Permit to Allow Age Restricted Multi-Family Housing Development (Affordable) in an R-4 Zoning District; Waiver of Development Standards to (1) Increase Building Height, (2) Reduce Throat Depth, and (3) Reduce Departure Distance; and Design Review to Increase Grade***  
***Ovation Contracting, Inc.***  
***APN: 176-02-301-019***

To Whom It May Concern:

Please be advised our office represents Ovation Contracting, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 5 acres and is generally located on the northwest corner of Torrey Pines Drive and Arby Avenue. The property is more particularly described as APN: 176-02-301-019 (the "Site"). The Applicant is proposing a non-conforming zone change from R-E to R-4 with a special use permit to develop an aged restricted, affordable multi-family housing development with related waivers.

**Non-Conforming Zone Change:**

The Land Use Plan designation for the Site is Business Employment (BE). The Applicant is seeking a non-conforming zone change from R-E to R-4. This request satisfies the criteria for a non-conforming zone change with the compelling justification required by Title 30 as follows:

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

The Site is planned for BE and zoned R-E. While BE master planned areas generally contemplate light industrial warehouse uses, the request for an R-4 zone change is justified. There have been recent trends to the general area for multi-family development including three recent approvals for properties rezoned to R-4 just west of the Site: (1) NZC-21-0285 approved on August 18, 2021 and located at the southwest corner of Badura Avenue and Redwood Street,

LAS VEGAS OFFICE  
1990 Festival Plaza Drive  
Suite 650  
Las Vegas, NV 89138  
Tel: 702.792.7000  
Fax: 702.796.7181

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

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

NZC-23-0053

(2) NZC-21-0285 approved on August 14, 2021 and located at the northwest corner of Badura Avenue and Redwood Street, and (3) NZC-21-0209 approved on August 4, 2021 and located at the northwest corner of Warm Springs Road and Redwood Street. Therefore, an R-4 zoned district, including an age restricted multi-family project, is appropriate for the area.

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

The Site is currently zoned R-E but master planned BE. A BE master plan district allows for light industrial warehouse uses. The intensity of a BE master planned area that would provide for additional truck and 18-wheeler traffic is arguably more intense than an age-restricted multi-family development. The Site is near other residential uses. Adding additional residential traffic (which will not be great since the proposed project is an age-restricted community) is more compatible with the existing residential developments. Therefore, the intensity and density of a multi-family senior housing development is appropriate for the area.

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

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. Water and sewer utilities are located near the Site and the Applicant will provide the necessary infrastructure connecting the existing utilities to the Site. There will be no substantial adverse effect to the schools as there will be no school aged children, and for that matter no children, generated by the project since this project will be for adults, age 55 and older. There is a serious need for more senior living options in the southwest portion of the valley. The Site will provide recreational amenities which will not burden Clark County recreation facilities and will cater to the residents of this age restricted complex. Fire services and police services similarly will not be substantially affected by the development of the Site. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

The proposed nonconforming zone change to R-4 complies with numerous policies adopted in the Transform Clark County Master Plan. In particular, the proposed zone change and development satisfy the following policies:

- Policy 1.2.1 encourages the expansion of the number of long-term affordable housing units in Clark County. Here, the Applicant is proposing an age-restricted, affordable multi-family development.

- Policy 1.3.2 encourages the mixture of housing options – both product types and unit sizes – within larger neighborhoods and multi-family development. Here, the proposed multi-family development will enhance the product mixed of existing multi-family developments, single-family residential developments, and nearby commercial uses along Rainbow Boulevard.
- Policy 3.1.2 encourages a variety of strategies to reduce reliance on private automobile travel. Here, the Applicant provides an in-house shuttle service to their residents allowing the residence to go shopping and enjoy dining and entertainment opportunities without the need of a personal vehicle.
- Policy 3.6.5 encourages the use of drought-tolerant, climate resilient, and desert-appropriate landscaping. Here, the Applicant is planting drought-tolerant, climate resilient plant materials.
- Policy 6.2.3 encourages neighborhood transitions. Here, the proposed use serves as buffer between the warehouse use to the west and the residential use to the east.

As such, the Site design meets the policies set forth in the Transform Clark County Master Plan.

#### **Design Review for Multi-Family:**

The Applicant is proposing a multi-family senior, affordable housing development consisting of 190 residential units with a density of 38 dwelling units per acre. Access to the Site is from Arby Avenue. The access driveway is as far west from the Arby Avenue/Torrey Pines Driveway as possible. There will be a drive aisle around the entire Site providing for ideal on-site circulation.

The Applicant is proposing to construct a four (4) level, 48-feet 6-inches tall multi-family building. The Site is meeting parking by providing 194 surface parking spaces where 190 parking spaces are required. The elevations of the proposed building will be enhanced by a spectrum of desert earth tone colors which includes Golden Fleece, Brandywine, and redwood brown by way of example. Likewise, the elevations show enhanced articulation to break up a monolithic look as well as providing enhanced finishes such as stucco trim, concrete roof tile, pop outs, and varying rooflines. The Site will provide outdoor amenities such as a centralized pool and spa area and indoor amenities will include: a fitness center, great room/social club, food pantry, computer area, library, media center, and wellness center. The Site is also meeting all landscaping, setbacks, opens space, and parking requirements of Title 30.

#### **Special Use Permit:**

The Applicant is proposing a senior housing project on the Site. Pursuant to Table 30.44-1 of Title 30, a special use permit is required. A special use permit allowing for senior

housing at the Site is an appropriate use. Since the proposed zoning for the project is R-4, the maximum allowed density is 39 dwelling units per acre. While the Applicant is requesting an R-4 zoning designation with a density of approximately 38 dwelling units per acre, age restricted housing use makes the request for the multi-family development less intense than a standard multi-family development with less noise, traffic and overall number of residents without children. Therefore, the age restricted housing development is compatible and appropriate.

**Waiver of Development Standards:**

- **Increase Building Height**

The Applicant is proposing to build a 48-foot 6-inches tall building where 35-feet is allowed in an R-4 zoned district. Although the Applicant is requesting an increase in height, the proposed request is reasonable and compatible for the following reasons: (1) the Site is adjacent to existing large warehousing buildings to the west and (2) the building height plate is about 41-feet and no residential units are above this height. The main reason for the increase in height of up to 48-feet 6 inches is to provide architectural enhancements and shield the mechanical units.

- **Reduce Throat Depth**

The Applicant is requesting to reduce the throat depth to 10-feet where 100-feet is required. While the Applicant is requesting to reduce the throat depth, the reduction will not cause safety concerns for the following reasons: (1) the development is not gated, therefore reducing any stacking in the right-of-way and (2) the Site is located on Arby Avenue, a 60-foot local road where there will be less traffic than on Torrey Pines Drive. Therefore, the waiver to reduce the throat depth is reasonable.

- **Reduce Departure Distance**

The Applicant is requesting to reduce the departure distance between the Arby driveway entrance and the Arby/Torrey Pines intersection from the required 190-feet to 185-feet. The Applicant has located the driveway as far west on the property as possible to create the greatest separation to the intersection as possible.

**Design Review to Increase Grade:**

The Applicant is requesting a design review to increase the grade by approximately 6-feet where 3-feet is allowed. The increase in grade is to balance the Site as the great differential is sloping away from the existing warehouse buildings down to Arby Avenue as well from Arby Avenue on the south side sloping down toward Badura Avenue. Therefore, the increase in grade will be consistent with finished grades of the existing warehouse buildings to the west.

KAEMPFER

CROWELL

Clark County Comprehensive Planning  
Department  
December 15, 2022  
Page 5

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/



EASEMENTS  
(TITLE 30)

ARBY AVE/TORREY PINES DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0054-GKT 4, LLC & BESUDEN, HENRY W. & CHARLOTTE:**

**VACATE AND ABANDON** easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Torrey Pines Drive and Redwood Street within Enterprise (description on file). MN/rk/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-02-301-019

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of 33 foot wide patent easements located along the west and south sides of the parcel, excepting out the southerly 25 feet for Arby Avenue. The applicant indicates these easements are not necessary due to the development of the surrounding area, and street patterns have been established to serve the public interest for roadway or utility purposes.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	RUD	Single family residential
West	Business Employment	M-D	Warehouse complex

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-23-0053	A zone change to reclassify this site to R-4 zoning for a senior housing complex 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 3, 2023 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive 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 35 feet to the back of curb for Badura Avenue, 35 feet to the back of curb for Torrey Pines Drive, 25 feet to the back of curb for Arby Avenue and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JAN GOYER

**CONTACT:** JAN GOYER, OVATION CONTRACTING INC., 6021 S. FORT APACHE  
ROAD #100, LAS VEGAS, NV 89148

DRAFT





# VACATION APPLICATION 5A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0054</u> DATE FILED: <u>2-2-23</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3-15-23</u> PC MEETING DATE: <u>4-4-23</u> BCC MEETING DATE: <u>5-3-23</u> FEE: <u>\$875.00</u>
--	----------------	---

PROPERTY OWNER	NAME: <u>Wigwam-Parvin Limited Partnership</u> ADDRESS: <u>6021 S. Fort Apache Road #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u>
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APPLICANT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>
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CORRESPONDENT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: <u>208832</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-02-301-019

PROPERTY ADDRESS and/or CROSS STREETS: South Torrey Pines Drive and West Arby Avenue

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)*	<u>REINIER SALTANA</u> Property Owner (Print)
---------------------------------	--

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 13, 2023 (DATE)  
 By Reinier Santana

NOTARY PUBLIC:

SUMMER LEANN AREVALO  
 Notary Public, State of Nevada  
 Appointment No. 21-8398-01  
 My Appt. Expires Jun 9, 2025

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

August 11, 2022

Clark County Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155-1744

VS-23-0054

**Re: Letter of Justification for Vacation  
Torrey Pines/Arby Senior Apartments**

To Whom It May Concern:

The proposed Torrey Pines/Arby Senior Apartment project is generally located on the south side of Badura Avenue, north side of Arby Avenue and the west side of Torrey Pines Drive, being the east half (E ½) of the southeast quarter (SE ¼) of the northeast quarter (NE ¼) of the southwest quarter (SW ¼) of Section 2, of Township 22 South, Range 60 East, M.D.M. Clark County Nevada, APN 176-02-301-019. The purpose of this letter is to provide justification for vacating a portion of the existing patent easements around this parcel.

We are respectfully requesting to vacate 33 feet of the existing patent easement along the west side of the parcel and 8 feet of the existing patent easement along the south side leaving 25 feet to be dedicated for Arby Avenue. This patent easement, identified as Serial Patent 1209786 as recorded in Book 414, Instrument Number 373216 that is being vacated is not needed for future roadways.

If you have any questions or comments about this letter, please call me at 702-815-0720.

Sincerely,  
Impulse Civil Engineering



Peter J. Laas, P.E.  
Principal

Cc: Jan Goyer, Ovation Development

$$I = \int F \cdot dt$$

04/04/23 PC AGENDA SHEET

SUPPER CLUB  
(TITLE 30)

LAS VEGAS BLVD S/ROBINDALE RD

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-23-0056-BALAJI TRUST & MIRCHANDANI, ASHOK & SUPRIYA TRS:**

**USE PERMITS** for the following: 1) on-premises consumption of alcohol (supper club); and 2) hookah lounge in conjunction with a restaurant on a portion of 4.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/sd/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-09-210-023 ptn

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 7690 Las Vegas Boulevard South
- Site Acreage: 4.2 (portion)
- Project Type: Supper club & hookah lounge
- Square Feet: 1,285 (supper club/hookah lounge)/11,900 (entire in-line retail building)
- Parking Required/Provided: 179/269

**Site Plan**

The plan depicts a proposed restaurant within an in-line retail building located in the center portion of the parcel. Access to the site is from Robindale Road and Las Vegas Boulevard South via a cross access driveway from the Las Vegas Premium Outlet Mall South. The proposed commercial center is located on the western portion of the parcel, with the remainder of the site currently being developed as a hotel. Parking is located around the perimeter of the parcel and on the west side of the in-line retail building.

**Landscaping**

There are no proposed or required changes to the existing landscaping.

Elevations

The plans indicate a 1 story, 33 foot high building with fiat roof behind parapet walls. The exterior walls are a combination of stucco finish painted in earth tone colors, stone veneer, and glass store fronts and windows.

Floor Plans

The plans indicate the restaurant building has an area of 1,285 square feet where the entire in-line retail building has an area of 11,900 square feet. The plans depict seating area for dining, bar area, restrooms, utility room, kitchen, and mezzanine.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the project will be an asset to the area. The proposed uses are compatible with the existing development in the area. The uses of a supper club and hookah lounge are consistent with other commercial developments in this area. The project will provide a stable and desirable environment for residents to enjoy.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0258	Supper club and design review for accessory structure	Approved by BCC	June 2022
UC-0154-16	Commercial center with retail, restaurants, personal services, jewelry store, and offices	Approved by BCC	May 2016
DR-0518-14	Hotel, site lighting, and signage for hotel	Approved by BCC	July 2014
DR-0087-14	Four story, 55 foot high, 108 room hotel with site lighting	Approved by BCC	March 2014
UC-0130-05	Shopping center with hotel/condominium complex	Approved by BCC	April 2005
ZC-137-91 & UC-203-91	Reclassified to H-1 zoning for an expansion to the shopping center	Approved by BCC	October 1991

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Entertainment Mixed-use	H-1	Retail & shopping center (part of the Las Vegas Premium Outlet Mall South)
South	Neighborhood Commercial	H-1	Hotel & undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & place of worship



**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Staff finds that adding a supper club to the retail center is an appropriate use for the site. The adjacent uses consist of a hotel within the same property, and residential uses in close proximity; and this use will cater to both tourists and residents within the immediate area. A supper club with on-site consumption of alcohol is a common element for any restaurant that wishes to cater to tourists and residents alike. The proposed supper club with a hookah lounge should not result in a substantial or undue adverse effect on the adjacent properties. The applicant has stated the hours of operation are Monday through Sunday 11:00 a.m. to 10:00 p.m. Review of the area shows residential uses are approximately 440 feet to the east, which is greater than the required 200 feet separation specified in the Code. The existing abutting residential development to the east has been buffered by the hotel building from the in-line retail building. Therefore, staff finds the uses to be appropriate for this location and supports these requests.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; 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.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ASHOK MIRCHANDANI**

**CONTACT: ASHOK MIRCHANDANI, 4485 S. BUFFALO DRIVE, LAS VEGAS, NV  
89147**

**DRAFT**



# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANR) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input checked="" type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0056</u> DATE FILED: <u>2/7/23</u> PLANNER ASSIGNED: <u>SUN</u> TAB/CAC: <u>ENTERPRIS</u> TAB/CAC DATE: <u>3/15/23</u> PC MEETING DATE: <u>4/4/23</u> SCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>BALAJI TRUST</u> ADDRESS: <u>7686 S LAS VEGAS BLVD STE #100</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-280-7203</u> CELL: <u>404-250-7203</u> E-MAIL: <u>ASH@BIRCH HOLDINGS.COM</u>
	<b>APPLICANT</b>  NAME: <u>ASHOK BIRCHANDANI LLC</u> ADDRESS: <u>10570 WIDE MILLS DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-280-7203</u> CELL: <u>7-3-480 7203</u> E-MAIL: <u>ASH@BIRCH HOLDINGS.COM</u> REF CONTACT ID #: _____
	<b>CONSENT</b>  NAME: <u>ASHOK BIRCHANDANI</u> ADDRESS: <u>10570 WIDE MILLS DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-280-7203</u> CELL: <u>702-280-7203</u> E-MAIL: <u>ASH@BIRCH HOLDINGS.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-09-210-C23

PROPERTY ADDRESS and/or CROSS STREETS: 7686 S LAS VEGAS BLVD STE #100 LAS VEGAS NV 89123

PROJECT DESCRIPTION: 100 SQ. FT. SIGNAGE FOR THE USE OF THE PROPERTY, KAVANAGH & CO. INC.

(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)

ASHOK BIRCHANDANI  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12/01/22 (DATE)  
 by ASHOK BIRCHANDANI

NOTARY PUBLIC: [Signature]

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

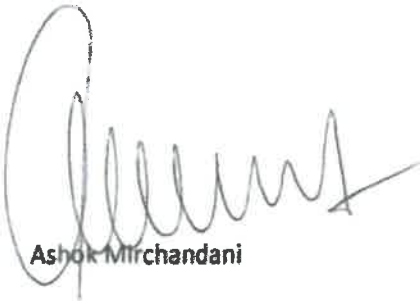
**JUSTIFICATION LETTER**

UC-23-0056

Applicant Ashok Mirchandani LLC is requesting for Special Use Permit. Project will be Indian Restaurant serving Indian street food. Applicant wants to request SUP for full-service bar and on-sale liquor, hookah lounge, karaoke, and live music as acceptable use. Ashok Mirchandani LLC D.B.A. Chaska is located at 7686 S. Las Vegas Blvd #150, Las Vegas, NV, 89123 and the parcel number is 177-09-210-023. Business will operate Monday to Sunday: 11:00am- 10:00pm. Applicant humbly requests to for the approval of special use permit and requested land uses:

- Special Use Permit for full-service bar and on-sale liquor,
- Special Use Permit for Hookah lounge,
- Special use permit for Live music and Karaoke.

Please feel free to contact me for any additional information.



Ashok Mirchandani

Date: 12/01/2022

04/04/23 PC AGENDA SHEET

DETACHED GARAGE  
(TITLE 30)

HAVEN ST/FORD AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
WS-23-0025-WHETSTONE, LARRY & BEVERLY:

**WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks for accessory structures in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Ford Avenue, 150 feet east of Haven Street within Enterprise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:  
177-16-302-017

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the rear yard setback for an existing detached garage to 3 feet where 5 feet is required per Table 30.40 (a 40% reduction).
- b. Reduce the side yard setback for an existing accessory structure to 4 feet where 5 feet is required per Table 30.40 (a 20% reduction).
- c. Reduce the rear yard setback for an existing accessory structure to 4 feet where 5 feet is required per Table 30.40 (a 20% reduction).

**LAND USE PLAN:**  
ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 124 E. Ford Avenue
- Site Acreage: 0.5
- Number of Lots/Units: 1
- Project Type: Detached garage & accessory structure
- Number of Stories: 1
- Building Height (feet): 12 (detached garage)/10 (accessory structure)
- Square Feet: 946 (detached garage & shower)

Site Plans

The plans depict an existing single family residence located in a 4 lot subdivision from Ford Avenue. This application is to allow for an existing detached garage to encroach into the rear yard setback by 3 feet where 5 feet is required. Access to the property is from Ford Avenue with the detached garage having a driveway for accessory access. A circular driveway is shown along Ford Avenue and a separate driveway for the detached garage. The applicant is requesting to reduce the setbacks for an existing detached garage to 3 feet and an existing accessory structure (outdoor shower) to 4 feet for both the rear and side yards. The applicant has come to the County for approval of the existing conditions due to a Code violation for building without a permit.

Landscaping

Landscaping is not required as part of this application.

Elevations

The existing detached garage matches the principal residence in architectural elements with a tile roof and stucco finish and is approximately 12 feet in height and less than the height of the residence. The plans also depict an existing accessory structure used for outdoor showering in conjunction with the outdoor pool. The existing outdoor shower is approximately 10 feet in height with a flat roof and partially open on all 4 sides.

Floor Plans

The plans depict an open garage used for storage of vehicles or personal possessions. The existing shower is an open floor plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the detached garage was built by a contractor who did not build it to Code in relation to setbacks. The applicant states they were told it was to Code and as a result have come before the County to approve the existing encroachments, including the outdoor shower. In addition, the neighbors directly adjacent to their property to the north have stated they have no issues with the current configuration.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

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

**Clark County Public Response Office (CCPRO)**

CE21-08624 is an active zoning violation for building without a permit.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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.

Staff finds the existing accessory structure (detached garage) will be compatible and consistent with the existing principal structure. While the encroachments are existing the review of the plans show to be minimal impact to the adjacent properties and neighborhood. The architectural of the detached garage incorporated the same architectural elements of the main house with tile roof and stucco finish, painted the same color. The accessory structure that is an outside shower will have minimal impact to adjacent properties and is a common element for those residential properties with swimming pools. In addition, the applicant has stated the adjacent neighbor to the north has no issues with the existing detached garage; therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 1 year to complete the building permit and inspection process, with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: DARREN PARTRIDGE**

**CONTACT: DARREN PARTRIDGE, 124 E. FORD AVENUE, LAS VEGAS, NV 89123**

**DRAFT**





# LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

# 7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-23-0025</u> DATE FILED: <u>6/16/21</u> PLANNER ASSIGNED: <u>SUD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3-15-23</u> PC MEETING DATE: <u>4-4-23</u> BCC MEETING DATE: <u>          </u> FEE: <u>\$775</u>
	<b>PROPERTY OWNER</b>  NAME: <u>LARRY E. and BEVERLY M. WHETSTONE</u> ADDRESS: <u>124 E. FORD AVENUE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-260-0759</u> CELL: <u>          </u> E-MAIL: <u>Lwsportster@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>LARRY WHETSTONE</u> ADDRESS: <u>124 E. FORD AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-260-0759</u> CELL: <u>          </u> E-MAIL: <u>LWSPORTSTER@GMAIL</u> REF CONTACT ID #: <u>228124</u>
	<b>CORRESPONDENT</b>  NAME: <u>DARREN PARTRIDGE</u> ADDRESS: <u>122 E. FORD AVENUE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-933-6866</u> CELL: <u>702-290-7753</u> E-MAIL: <u>darren.partridge@us.belfor.com</u> REF CONTACT ID #: <u>CELL</u> <div style="text-align: right;"><u>214392</u></div>

ASSESSOR'S PARCEL NUMBER(S): 177-16-302-017

PROPERTY ADDRESS and/or CROSS STREETS: 124 E. FORD AVENUE

PROJECT DESCRIPTION: SFR - ACCESSORY GARAGE

(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.

Larry E. Whetstone Property Owner (Signature)\*  
LARRY E. WHETSTONE Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Nye

SUBSCRIBED AND SWORN BEFORE ME ON June 15, 2021 (DATE)  
 By Larry E. Whetstone

NOTARY PUBLIC: Leah Barker



\*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.

7/29/21

TO WHOM IT MAY CONCERN.

WS-23-0025

WE ARE LOOKING FOR A VARIANCE FOR AN  
EXISTING GARAGE (STAND ALONE). A LICENSED  
CONTRACTOR WAS HIRED TO BUILT THE STRUCTURE  
AND WE WERE TOLD IT WOULD BE BUILT TO  
"CODE". APPARENTLY THAT IS NOT THE CASE.  
WE ARE WILLING TO DO WHAT WE NEED  
TO TO MAKE THIS RIGHT. THE OWNERS OF  
THE PROPERTY TO THE NORTH HAVE NO ISSUES  
WITH THE BUILDING AND HAVE WRITTEN A  
LETTER STATING SO.

THANK YOU.

THE WRETSTONES.

RESTAURANTS/RETAIL  
/VEHICLE MAINTENANCE  
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400015 (NZC-19-0881)-ZSKSMZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 2.0 acres from an R-E (Rural Estates Residential) Zone to a C-2 (General Commercial) Zone.

**USE PERMIT** to reduce the separation from a vehicle maintenance facility to a residential use.

**DESIGN REVIEWS** for the following: 1) restaurant buildings with drive-thru lanes; 2) retail building; and 3) vehicle maintenance facility.

Generally located on the south side of Silverado Ranch Boulevard, 320 feet west of Arville Street within Enterprise (description on file). JJ/jud/syp (For possible action)

RELATED INFORMATION:

**APN:**

177-30-104-001; 177-30-104-002

**LAND USE PLAN:**

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

**BACKGROUND:**

General Summary

- Site Address: 4485 W. Silverado Ranch Boulevard
- Site Acreage: 2
- Project Type: Restaurant buildings with drive-thru lanes/retail building/vehicle maintenance facility
- Number of Stories: 1
- Building Height (feet): 26 (restaurant building – pad 1)/29 (restaurant building – pad 2)/28 (retail building and vehicle maintenance facility)
- Square Feet: 3,000 (restaurant buildings)/6,000 (retail building)/4,900 (vehicle maintenance facility)
- Parking Required/Provided: 105/110

**Site Plans**

The approved plans depict a proposed development consisting of 2 restaurants with drive-thru lanes (Pad 1 and Pad 2), a retail building, and a vehicle maintenance facility on a 2 acre site. The first restaurant building (Pad 1) is located at the northwest corner of the site, and the second

restaurant building (Pad 2) is located on the northeast portion of the site. Pad 1 is set back 30 feet from the north property line along Silverado Ranch Boulevard, and 94 feet from the west property line adjacent to an undeveloped parcel. Pad 2 is set back 41 feet from the north property line along Silverado Ranch Boulevard, and 89.5 feet from the east property line adjacent to an undeveloped parcel planned Residential Suburban. Both restaurants feature a dual drive-thru lane, measuring 9.5 feet in width for each lane, and transitioning into a single, 12 foot wide aisle circulating around the buildings. The drive-thru for Pad 1 is located along the south portion of the building and circulates around the east and north sides. The drive-thru lane begins on the north portion of Pad 2 and circulates west and south.

A retail building with a vehicle maintenance facility is located along the south portion of the project site, with a minimum setback of 10 feet from the south property line adjacent to the previously approved flood control detention basin. The building is set back 214 feet from the north property line along Silverado Ranch Boulevard. The retail building is set back 83 feet from the west property line. The vehicle maintenance facility is set back 60 feet from the east property line, adjacent to an undeveloped parcel with a planned land use of Residential Suburban. The maintenance facility features 7 vehicle bays, all of which are screened from the right-of-way by a combination of the second restaurant building and site landscaping.

The restaurant buildings, retail building, and vehicle maintenance facility are interconnected through a series of 5 foot wide pedestrian walkways. Pedestrian walkways ranging between 12 feet to 21 feet are provided along the front and side entrances to the restaurant and retail buildings. The proposed development requires 105 parking spaces where 110 spaces are provided.

#### Landscaping

The approved plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along Silverado Ranch Boulevard. The street landscape area consists of medium trees, shrubs, and groundcover. A 10 foot wide landscape area is located along the east and west property lines, adjacent to the undeveloped parcels planned for Residential Suburban. Twenty-four inch box medium trees planted 20 feet on center, including shrubs and groundcover, are located within these landscape areas. A landscape area ranging between 5 feet to 11.5 feet in width, consisting of trees, shrubs, and groundcover, is located along the south property line. Parking lot landscaping is equitably distributed throughout the interior of the site consisting of large 24 inch box trees. A 6 foot high CMU block wall will be constructed along the east, west, and south property lines of the project site.

#### Elevations

The approved plans depict a proposed restaurant building (Pad 1) with a height ranging from 23 feet to 29 feet to the top of the parapet wall. The second restaurant building (Pad 2) features a height ranging between 18 feet to 26 feet to the top of the parapet wall. Varying rooflines have been incorporated into the overall design of the buildings. The east and west elevations of Pad 1 and Pad 2, respectively, face towards the main drive aisle to the site, feature a stucco exterior with an aluminum storefront window system, and drive-thru windows. The elevations for each building feature a stucco exterior, an aluminum storefront window system, and service doors for ingress and egress. Portions of the east, west, north, and south exterior of the restaurants feature

a decorative horizontal metal exterior, resembling a standing seam pattern. All elevations include wall sconce lighting.

Additionally, the plans depict a proposed retail building and vehicle maintenance facility with a height ranging from 23 feet to 28 feet to the top of the parapet wall that meets the height/setback ratio from the adjacent residential uses to the east and west. Varying rooflines have been incorporated into the overall design of the building. The western portion of the north elevation features an aluminum storefront window system with a stucco exterior. The eastern portion of the north elevation features a stucco exterior with 7 vehicle maintenance bays. The west elevation features a stucco exterior with an aluminum storefront window system. The east and south elevations feature a stucco exterior. Five service doors for the purposes of ingress and egress are depicted on the south elevation. Portions of the east, west, and north exterior of the building feature a decorative horizontal metal exterior, resembling a standing seam pattern. The north elevation includes wall sconce lighting, while the west and south elevations include wall pack lighting.

#### Floor Plans

The approved plans depict 2 proposed restaurant buildings each consisting of 3,000 square feet with open shell space. The retail building consists of 6,000 square feet of open shell space while the vehicle maintenance facility measures 4,900 square feet with 7 maintenance bays.

#### Previous Conditions of Approval

Listed below are the approved conditions for NZC-19-0881:

#### Current Planning

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing for significant changes to plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate any unnecessary easements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

**Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised that there is an active septic permit on APN 177-30-104-001; to connect to municipal sewer and remove or abandon the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed or abandoned.

**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 #0655-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states that the project's original approval took place in February 2020, and due to the pandemic, the adjacent Silverado Ranch Boulevard County Road project coordination and project drainage reviews are taking significantly longer than anticipated. The applicant further states that the drainage study was recently approved, the off-site improvement bonds have been approved, and the civil plan approval is expected in the coming months. Construction should begin later this year; therefore, the applicant is requesting this extension of time to complete the project plan approval process and start construction.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-22-500075	1 lot commercial subdivision	Approved by PC	June 2022
VS-22-0210	Vacated patent easements and a portion of right-of-way being Silverado Ranch Boulevard	Approved by PC	June 2022
ADR-21-900622	Modifications for a previously approved retail building, restaurant buildings with drive-thru lanes, and a vehicle maintenance facility	Approved by ZA	November 2021
NZC-19-0881	Reclassified the site from R-E to C-2 zoning with a use permit to reduce the separation from a vehicle maintenance facility to a residential use and design review	Approved by BCC	February 2020
VS-19-0609	Vacated patent easements and a portion of right-of-way being Rogers Street	Approved by PC	October 2019
ZC-1446-07	Reclassified the project site from R-E to C-1 zoning with a design review to convert an existing single family residence into an art and photography studio - expired	Approved by BCC	January 2008

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Use	P-F & R-E	Armory & undeveloped
South	Public Use	P-F	Flood control detention basin
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Undeveloped (approved for a commercial center)

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**

**Comprehensive 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.

The applicant states that due to COVID-19 the approval of technical studies has been done at a much slower pace. Currently, the applicant has the drainage study approved and has entered into a standard development agreement with Clark County in October 2022. Therefore, staff can support this request for an extension of time.

**Staff Recommendation Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until February 5, 2026 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 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: UMER MALIK**

**CONTACT: UMER MALIK, LAS VEGAS, 11510 MYSTIC ROSE CT, LAS VEGAS, NV  
89138**

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 8A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>NZC-19-0881</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-23-40001S</u> DATE FILED: <u>02/02/2023</u> PLANNER ASSIGNED: <u>JUD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/15/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>April 5, 2023</u> FEE: <u>\$9000</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ZSKSMAZ TOWNSHIP FAMILY TRUST and MALIK UMER TRS</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: <u>Umerzmalik1@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Umer Malik</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: <u>umerzmaik1@gmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Umer Malik</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): APN 17730104001, 17730104002

PROPERTY ADDRESS and/or CROSS STREETS: 4475 W SILVERADO RANCH BLVD Las Vegas NV 89139

PROJECT DESCRIPTION: 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.

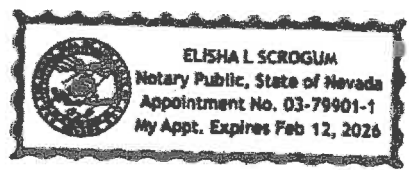
Umer Malik      Umer Malik  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 4, 2023 (DATE)

By Umer Malik

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.



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>NZC-19-0881</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-23-400015</u> DATE FILED: <u>02/02/2023</u> PLANNER ASSIGNED: <u>JUD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/15/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>April 5, 2023</u> FEE: <u>\$900.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ASHAHID REVOCABLE LIVING TRUST and SHAHID AMINA TRS</u> ADDRESS: <u>11540 VIA PRINCESSA CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Umer Malik, Amina Shahid</u> ADDRESS: <u>11540 VIA PRINCESSA CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Umer Malik</u> ADDRESS: <u>11540 VIA PRINCESSA CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): APN 17730104002, 17730104001

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Arville

PROJECT DESCRIPTION: 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.

Amina Shahid      Amina Shahid  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON January 4, 2023 (DATE)  
 By Amina Shahid

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

Umer Malik  
11510 Mystic Rose Ct  
Las Vegas NV 89138  
1/09/2023

Comprehensive Planning Department  
500 Grand Central parkway  
Las Vegas, NV 89106

APN 17730104001, 17730104002  
App No: NZC-19-0881

Dear Planner:

The application for the abovementioned project under the application number NZC-19-0881

was approved on February 5, 2020, due to COVID-19 pandemic, the adjacent Silverado Ranch County road project coordination and project drainage reviews taking significantly longer than anticipated, this project was delayed. Recently, the drainage study has been approved, Clark County Public Works has approved the bond and civil plan approval is expected in the coming months. It is expected construction to start later this year. We are respectfully requesting this extension of time to complete our project plan approval process and start construction. Should you require any additional information or have any questions, please do not hesitate to contact at 702-767-3764

Sincerely,



Umer Malik



DISTRIBUTION CENTER  
(TITLE 30)

RAINBOW BLVD/RICHMAR AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0045-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:**

**ZONE CHANGE** to reclassify 19.9 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

**USE PERMIT** to allow loading spaces to not be screened from a public street.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall/fence height; 2) permit alternative street landscaping; and 3) reduced driveway throat depth.

**DESIGN REVIEWS** for the following: 1) a distribution center; 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the northeast corner of Rainbow Boulevard and Richmar Avenue within Enterprise (description on file). JJ/al/syp. (For possible action)

**RELATED INFORMATION:**

**APN:**

176-23-301-008; 176-23-301-023

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase wall/fence height to 16 feet (10 foot retaining wall with a 6 foot wrought iron fence) where a maximum of 13 feet (3 foot retaining wall with a 10 foot high fence) is permitted per Section 30.64-050 (a 23.1% increase).
2. Permit alternative street landscaping where landscaping per Figure 30.64-17 is required.
3. Reduce driveway throat depth to a minimum of 15 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 90% reduction).

**DESIGN REVIEWS:**

1. A distribution center.
2. Permit alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
3. Increase finished grade to 144 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 300% increase).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 19.9
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): 44
- Square Feet: 422,020
- Parking Required/Provided: 212/289

#### Site Plan

The plan depicts a distribution center consisting of 1 building located in the central portion of the site. Access to the site is provided by 3 driveways from Rainbow Boulevard and 2 driveways from Richmar Avenue. The driveways on Rainbow Boulevard will have a throat depth of 59 feet and the driveways on Richmar Avenue will have a throat depth of 15 feet where 150 feet is required. Parking for the development is located on all sides of the building. The loading spaces for the facility are located on the east and west sides of the building. There are loading spaces on the west side of the building that align with 2 of the driveways from Rainbow Boulevard making these loading spaces visible from the street which require a use permit. The maximum retaining wall heights are along the north and west portions of the site.

#### Landscaping

The plan shows 5 foot wide sidewalks on the property adjacent to the southern and western property lines adjacent to Richmar Avenue and Rainbow Boulevard. The applicant has submitted a companion application, VS-23-0046, to vacate 5 feet of right-of-way for both public streets adjacent to the site to allow for detached sidewalks. The plans are not depicting landscaping within the portions of the rights-of-way to be vacated. Portions of these vacated areas are within the sight zones for the proposed driveways which prohibits any plants that will be over 24 inches in height. The plan shows a minimum 23 foot wide landscape area along Rainbow Boulevard adjacent to the sidewalk and a minimum 10 foot wide landscape area along Richmar Avenue adjacent to the sidewalk. Landscaping in these areas will consist of trees, shrubs, and groundcover. Additional landscape areas are located in landscape fingers and islands within the parking areas and adjacent to the buildings. The request includes a design review to allow alternative parking lot landscaping. The spacing for landscape islands and fingers within portions of the parking areas does not comply with the requirements of Figure 30.64-14. The required trees for these parking areas have been distributed to other locations on the site, primarily in landscape areas along the north and east property lines, and along the north and south sides of the building.

#### Elevations

The building is 1 story with a height of 44 feet. The building will be constructed of concrete tilt-up panels that will be painted in earth tone colors and has a flat roof behind parapet walls. Office areas will be located at the corners of the building and will consist of aluminum storefront systems.

**Floor Plans**

The building is 1 story with an area of 422,020 square feet. The building will be constructed as a shell with large open areas to be completed with future interior remodels to meet the needs of the future tenants of the building.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that the zone change request is in conformance with the Master Plan and is compatible with the existing and planned land uses in this area. There is a need for additional warehouse space in the County that this project will help to fulfill. The use permit to allow loading spaces to not be screened is for a few spaces that align with 2 driveways onto Rainbow Boulevard. The majority of the loading spaces will be screened from the public streets. The property to the west across Rainbow Boulevard is a commercial development which will not be impacted for the unscreened loading spaces. The topography of the site makes the increase in finish grade and increase in retaining wall height necessary to balance the site for development and provide proper drainage. The alternative parking lot landscaping is necessary due to large trucks circulation through the site to allow better site visibility and parking maneuvering. The waiver for throat depth reduction will not impact the on-site circulation as the site is designed with long drive aisles to allow for adequate movement to and from the loading spaces and onto the rights-of-way.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	R-E & C-2	Undeveloped
South	Business Employment	M-D & M-1	Undeveloped
East	Business Employment	R-E	Undeveloped
West	Neighborhood Commercial	C-1	Commercial Center & undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0046	A request to vacate and abandon easements and rights-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Comprehensive Planning**  
**Zone Change**

The proposed zone change is in conformance to the Master Plan. The proposed use of the property is consistent and compatible with existing and planned land uses in the area. The request conforms to Goal 5.1 of the Master Plan to encourage diversification of the economic base to enhance resilience. Therefore, staff can support the zone change request.

**Use Permit**

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

The majority of the loading spaces are screened from the rights-of-way, its only at 2 locations that align with driveways that allow a few of the loading spaces to be visible from Rainbow Boulevard. The existing development across the street from this site is commercial, so the approval of this request would have little impact on the abutting properties. Similar requests have been approved for other distribution facilities in the County. However, Public Works is not supporting the waiver to reduce the driveway throat depths. The current design of the site will not allow for much of an increase in the length of the driveways, which would require a redesign of the site. Staff believes the site could be designed to provide the required screening for the loading spaces; therefore, staff does not support this request.

**Waivers of Development Standards**

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

**Waiver of development Standards #1**

The existing topography of the site could be a unique or special circumstance with the property to justify an increase in retaining wall height. However, there are other parcels abutting this site that are undeveloped. Information in County records depicting contour lines in this area are not showing any sudden increase/decrease in the topography of the area. The applicant has stated that the topography of the site is the reason for the increase in retaining wall height, but no documentation/information has been submitted to provide justification for the increase in wall height. Therefore, staff finds that the applicant has not provided sufficient justification to warrant the approval of this request and recommends denial of this waiver.

**Waiver of Development Standards #2**

Staff believes that there are other design options for the site that would allow for street landscaping as required by Code. Staff finds that this waiver is a self-imposed hardship due to



the design of the project and the applicant has not provided a sufficient justification to warrant approval of this request and recommends denial of this waiver.

Design Reviews #1 and #2

The design of the building is consistent and compatible with other developments in this area. Similar design reviews to allow alternative parking lot landscaping have been approved for other distribution centers in the County. Staff could support these request; however; Public Works is not supporting the waiver to reduce the driveway throat depths. Increasing the length of the driveways would require modifications to the site which could change the parking layout, size of the building, and access. Since Public Works is not supporting the throat depth waiver which could require significant changes to the site, staff does not support these design reviews.

**Public Works - Development Review**

Waiver of Development Standards #3

Staff finds the request to reduce the throat depth for all 3 driveways on Rainbow Boulevard and both driveways on Richmar Avenue to be excessive. Cars and trucks will share all of the driveways, and with the loading docks and parking stalls directly opposite in 4 out of the 5 driveways, the likelihood is that vehicles will be stacking in the right-of-way, causing potential collisions. A site redesign would allow for the commercial driveways to meet the minimum throat depth standards, allowing for better circulation and separation between the trucks and cars. Therefore, staff cannot support this request.

Design Review #3

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

**Staff Recommendation**

Approval of the zone change; denial of the use permit, waivers of developments standards and design reviews.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews 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;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Fire Prevention Bureau**

- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0064-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PDC RENO/LV/PHX LPIV, LLC  
**CONTACT:** BOB GRANAUER, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135



# LAND USE APPLICATION

# 9A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

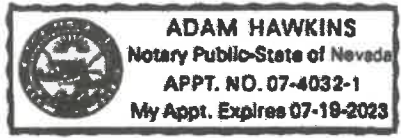
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE \$1,050 <sup>00</sup> <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) \$675 <sup>00</sup> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) \$475 <sup>00</sup> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) \$75 <sup>00</sup> <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>ZC-23-0045</u> DATE FILED: <u>1-30-23</u> PLANNER ASSIGNED: <u>121</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3-15-23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4-5-23</u> FEE: <u>\$2875</u>
	<b>PROPERTY OWNER</b> NAME: <u>BLUE DIAMOND RESERVE HOLDINGS LLC and DAMODICE HOLDINGS LLC</u> ADDRESS: <u>330 S. Rampart Blvd., Ste. 340</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b> NAME: <u>PDC RENO/LV/PHX LPV, LLC</u> ADDRESS: <u>3830 Howard Hughes Pkwy., Suite 360</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>pdunning@panattoni.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Kaempfer Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-23-301-008 and 176-23-301-023  
 PROPERTY ADDRESS and/or CROSS STREETS: Rainbow/Blue Diamond  
 PROJECT DESCRIPTION: ZC and DR for an Industrial Project

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

[Signature] Property Owner (Signature)\*      Byron Larkin Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 8-9-2022 (DATE)  
 By Byron Larkin  
 NOTARY PUBLIC: [Signature]



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

ADR 22-101173

**KAEMPFER  
CROWELL**

**KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**

ATTORNEYS AT LAW  
LAS VEGAS OFFICE

**BOB GRONAUER**  
[bo@kcnylaw.com](mailto:bo@kcnylaw.com)  
702.792-7000

January 23, 2023

LAS VEGAS OFFICE  
8345 West Sunset Road  
Suite 250  
Las Vegas, NV 89113  
Tel: 702 792 7000  
Fax: 702 796 7181

RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775 852 3900  
Fax: 775 852 3982

CARSON CITY OFFICE  
510 W Fourth Street  
Carson City, NV 89703  
Tel: 775 884 8300  
Fax: 775 882 0257

**VIA ONLINE SUBMITTAL**

2C-23-0045

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

**Re: Justification Letter – Conforming Zone Change, Special Use Permit, Design Review,  
Waiver and Vacation  
PDC RENO/LV/PHX LPV, LLC  
APNs: 176-23-301-008 and 176-23-301-023**

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 20.34 acres on the northeast corner of Rainbow Boulevard and Richmar Avenue. The property is more particularly described as Assessor's Parcel Numbers 176-23-301-008 and 176-23-301-023 (the "Site"). The Applicant is requesting a conforming zone change to M-D, special use permit, design review, waiver of development standards and vacations to allow for a distribution warehouse facility.

The Site fronts onto Rainbow Boulevard to the west and is surrounded by M-1 and M-D zoning to the south and east, and C-2 property to the north. Property to the east of Rainbow in this corridor has been reserved and planned for industrial uses for many years. The proposed warehouse use is compatible with the surrounding area and is compatible with the overall vision of the area.

Additionally, a portion the Site was previously approved for nonconforming zone changes to M-1 on the eastern property of the site. The current proposal for a new warehouse facility is no more intense than what was previously approved, and therefore, will not negatively impact the surrounding area.

**Conforming Zone Change**

The Site is zoned R-E and M-1 with an underlying master plan of Business Employment (BE). This request for a zone change to M-D satisfies the criteria for a conforming zone change per the following:

The overall trend in the area, and Clark County in general, has substantially changed when it comes to the need for warehouse facilities. Businesses throughout the country and

locally throughout southern Nevada are in need of additional warehousing option for their growing businesses. Bringing in a use to provide the needed warehouse square footage that has been highly sought after throughout the Las Vegas Valley, will not only help Clark County as a whole, but will help many residents searching for jobs in the area.

A portion of the Site was previously approved for industrial zoning and is surrounded by commercially zoned property and M-D and M-1 industrial property. The proposed warehouse facility is appropriate and compatible with the surrounding properties and will not negatively impact the existing uses or surrounding property owners. Additionally, the proposed location off Rainbow Boulevard is the ideal location for trucks with easy access to Blue Diamond to the north. With the prior zone changes on the surrounding properties, the development of large lot residential homes under the R-E zoning designation would not be appropriate or compatible.

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated and currently existing in the area. The proposed use will not add any additional students to the surrounding schools or impact the utilities already in place along the existing right of ways.

### **Special Use Permit**

The Applicant is requesting a special use permit to allow the loading docks to face Rainbow Boulevard without screening on a portion of the western property line where the two driveways are located. The remaining portion of the western property line will be appropriately screened with landscaping, leaving minimal unscreened space at the driveway locations. Across Rainbow is an existing commercial center which will not be impacted by the view from the right-of-way.

### **Design Review**

The Applicant is proposing a single distribution warehouse building for a total of 422,020 square feet. The proposed building will have a maximum height of 44-feet where 50-feet is permitted in M-D and will be comprised of painted metal panels, wood frame, concrete tilt-up panels, stucco finish, architectural enhancements, a flat roofline, and large decorative windows.

Access to the Site is proposed from three driveways along Rainbow and one driveway along Richmar. The project has been designed to allow for appropriate truck circulation around the buildings and long drive aisles to provide adequate maneuvering abilities for both trucks and cars. The Applicant is providing a total of 289 parking spaces where 212 are required. The Applicant is also providing the required landscaping along the perimeter per Code requirements to ensure shade and visual relief. Detached sidewalks have been added to address the newly adopted ordinance for 60-foot or wider right-of-ways.

The Applicant is also requesting a design review to allow for increased fill up to 12-foot inches where 36-inches is permitted. Due to the topography of the Site, and the large slope difference across the Site, the increase in fill is required in order to develop the project.

Additionally, the Applicant is requesting a design review to allow for alternative parking lot landscaping due to not meeting the required landscape finger requirement. Due to large trucks circulating through the Site, it allows for better site visibility and parking maneuvering. To compensate for the request, the Applicant is providing the required number of trees for the project dispersed in other areas throughout the Site.

**Waiver of Development Standards**

The Applicant is requesting a throat depth waiver of 15-feet on Richmar and 59-feet on Rainbow where 150-feet is required. The requested reduction will not impact the on-site circulation as the Site is designed with long drive aisles to allow for adequate movement to and from the loading docks and well as providing enough room for onsite stacking to avoid backup onto the right of ways. Additionally, with multiple access points, traffic will not be forced into a single driveway which will further alleviate any circulation concerns.

The Applicant is also requesting a waiver to increase wall height to allow for up to 10-foot of retaining wall. Due to the topography of the Site, the increase of retaining wall is required to develop and appropriately secure the project. The location of the increased retaining walls will be located to the north and west, and not along Rainbow.

**Vacation**

Finally, the Applicant is requesting to vacate five feet of right-of-way along Rainbow and Richmar to allow for detached sidewalks. Additionally, the Applicant is requesting to vacate the existing patent easements for APN 176-23-301-008 as they are no longer needed for development. The patent easements for APN 176-23-301-023 were previously vacated. Lastly, the Applicant is requesting to vacate the existing BLM grant as shown on the submitted vacation documents.

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

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO

Bob Gronauer

04/05/23 BCC AGENDA SHEET

EASEMENTS & RIGHTS-OF-WAY  
(TITLE 30)

RAINBOW BLVD/RICHMAR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0046-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Serene Avenue and Richmar Avenue, and between Rainbow Boulevard and Redwood Street; and portions of rights-of-way being a portion of Rainbow Boulevard located between Serene Avenue and Richmar Avenue and a portion of Richmar Avenue located between Rainbow Boulevard and Redwood Street within Enterprise (description on file). JJ/al/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-23-301-008; 176-23-301-023

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a distribution center. The request is to vacate patent easements and portions of rights-of-way that are not needed to develop the site. The patent easements are located along the perimeter of APN 176-23-301-008 (southwest portion of the site). The rights-of-way are 5 foot wide portions of Rainbow Boulevard and Richmar Avenue to allow for detached sidewalks adjacent to the site.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	R-E & C-2	Undeveloped
South	Business Employment	M-D & M-1	Undeveloped
East	Business Employment	R-E	Undeveloped
West	Neighborhood Commercial	C-1	Commercial Center & undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0045	A zone change to reclassify the site to M-D zoning for a distribution facility 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 and rights-of-way that are not necessary for site, drainage, or roadway development.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive 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**

- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.



**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PDC RENO/LV/PHX LPIV, LLC

**CONTACT:** BOB GRANAUER, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS,  
NV 89135

DRAFT





# VACATION APPLICATION 10A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS 23-0046</u>	DATE FILED: <u>1-30-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>3-15-23</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>4-5-23</u>	
		FEE: <u>\$8750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>BLUE DIAMOND RESERVE HOLDINGS LLC and DAMODICE HOLDINGS LLC</u>
	ADDRESS: <u>330 S. Rampart Blvd., Ste. 340</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>PDC RENO/LV/PHX LPIV, LLC</u>
	ADDRESS: <u>3930 Howard Hughes Pkwy., Suite 360</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>pdunning@panattoni.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Kaempfer Crowell - Bob Gronauer</u>
	ADDRESS: <u>1980 Festival Plaza, Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: _____ ZIP: _____
	TELEPHONE: <u>702-693-4262</u> CELL: _____
	E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-23-301-008 and 176-23-301-023 [REDACTED]

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow/Blue Diamond

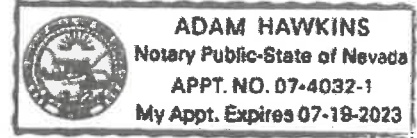
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 8-8-2022 (DATE)  
 By Boya Laska  
 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.

APR-22-101173

January 23, 2023

**VIA ONLINE SUBMITTAL**

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

**Re: *Justification Letter – Conforming Zone Change, Special Use Permit, Design Review,  
Waiver and Vacation  
PDC RENO/LV/PHX LPIV, LLC  
APNs: 176-23-301-008 and 176-23-301-023***

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 20.34 acres on the northeast corner of Rainbow Boulevard and Richmar Avenue. The property is more particularly described as Assessor's Parcel Numbers 176-23-301-008 and 176-23-301-023 (the "Site"). The Applicant is requesting a conforming zone change to M-D, special use permit, design review, waiver of development standards and vacations to allow for a distribution warehouse facility.

The Site fronts onto Rainbow Boulevard to the west and is surrounded by M-1 and M-D zoning to the south and east, and C-2 property to the north. Property to the east of Rainbow in this corridor has been reserved and planned for industrial uses for many years. The proposed warehouse use is compatible with the surrounding area and is compatible with the overall vision of the area.

Additionally, a portion the Site was previously approved for nonconforming zone changes to M-1 on the eastern property of the site. The current proposal for a new warehouse facility is no more intense than what was previously approved, and therefore, will not negatively impact the surrounding area.

**Conforming Zone Change**

The Site is zoned R-E and M-1 with an underlying master plan of Business Employment (BE). This request for a zone change to M-D satisfies the criteria for a conforming zone change per the following:

The overall trend in the area, and Clark County in general, has substantially changed when it comes to the need for warehouse facilities. Businesses throughout the country and

locally throughout southern Nevada are in need of additional warehousing option for their growing businesses. Bringing in a use to provide the needed warehouse square footage that has been highly sought after throughout the Las Vegas Valley, will not only help Clark County as a whole, but will help many residents searching for jobs in the area.

A portion of the Site was previously approved for industrial zoning and is surrounded by commercially zoned property and M-D and M-1 industrial property. The proposed warehouse facility is appropriate and compatible with the surrounding properties and will not negatively impact the existing uses or surrounding property owners. Additionally, the proposed location off Rainbow Boulevard is the ideal location for trucks with easy access to Blue Diamond to the north. With the prior zone changes on the surrounding properties, the development of large lot residential homes under the R-E zoning designation would not be appropriate or compatible.

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated and currently existing in the area. The proposed use will not add any additional students to the surrounding schools or impact the utilities already in place along the existing right of ways.

#### **Special Use Permit**

The Applicant is requesting a special use permit to allow the loading docks to face Rainbow Boulevard without screening on a portion of the western property line where the two driveways are located. The remaining portion of the western property line will be appropriately screened with landscaping, leaving minimal unscreened space at the driveway locations. Across Rainbow is an existing commercial center which will not be impacted by the view from the right-of-way.

#### **Design Review**

The Applicant is proposing a single distribution warehouse building for a total of 422,020 square feet. The proposed building will have a maximum height of 44-feet where 50-feet is permitted in M-D and will be comprised of painted metal panels, wood frame, concrete tilt-up panels, stucco finish, architectural enhancements, a flat roofline, and large decorative windows.

Access to the Site is proposed from three driveways along Rainbow and one driveway along Richmar. The project has been designed to allow for appropriate truck circulation around the buildings and long drive aisles to provide adequate maneuvering abilities for both trucks and cars. The Applicant is providing a total of 289 parking spaces where 212 are required. The Applicant is also providing the required landscaping along the perimeter per Code requirements to ensure shade and visual relief. Detached sidewalks have been added to address the newly adopted ordinance for 60-foot or wider right-of-ways.

The Applicant is also requesting a design review to allow for increased fill up to 12-feet inches where 36-inches is permitted. Due to the topography of the Site, and the large slope difference across the Site, the increase in fill is required in order to develop the project.

Additionally, the Applicant is requesting a design review to allow for alternative parking lot landscaping due to not meeting the required landscape finger requirement. Due to large trucks circulating through the Site, it allows for better site visibility and parking maneuvering. To compensate for the request, the Applicant is providing the required number of trees for the project dispersed in other areas throughout the Site.

#### Waiver of Development Standards

The Applicant is requesting a throat depth waiver of 15-feet on Richmar and 59-feet on Rainbow where 150-feet is required. The requested reduction will not impact the on-site circulation as the Site is designed with long drive aisles to allow for adequate movement to and from the loading docks and well as providing enough room for onsite stacking to avoid backup onto the right of ways. Additionally, with multiple access points, traffic will not be forced into a single driveway which will further alleviate any circulation concerns.

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#### Vacation

Finally, the Applicant is requesting to vacate five feet of right-of-way along Rainbow and Richmar to allow for detached sidewalks. Additionally, the Applicant is requesting to vacate the existing patent easements for APN 176-23-301-008 as they are no longer needed for development. The patent easements for APN 176-23-301-023 were previously vacated. Lastly, the Applicant is requesting to vacate the existing BLM grant as shown on the submitted vacation documents.

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

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO



Bob Gronauer

04/18/23 PC AGENDA SHEET

FOOD CART/TRAILER  
(TITLE 30)

CACTUS AVE/JONES BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
UC-23-0048-MFE, INC:

USE PERMIT for a proposed food cart not within an enclosed building.  
DESIGN REVIEW for a proposed food cart in conjunction with an existing convenience store with gasoline sales on 3.8 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Cactus Avenue and the west side of Jones Boulevard within Enterprise. JJ/rk/syp (For possible action)

---

RELATED INFORMATION:

APN:  
176-35-520-001

LAND USE PLAN:  
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

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

- Site Address: 6145 W. Cactus Avenue
- Site Acreage: 3.8
- Project Type: Food cart (taco cart/trailer)
- Trailer Height (feet): 8
- Square Feet: 112
- Parking Required/Provided: 25/34

Site Plan

The plan depicts a proposed food cart (taco cart/trailer) located near the northeast corner of a partially developed commercial center consisting of a convenience store with gasoline sales. The food cart is set back 25 feet from the north property line along Cactus Avenue, 30 feet from the east property line along Jones Boulevard, and 274 feet from the west property line. Thirty-four parking spaces are provided in the parking lot where 25 parking spaces are required. The commercial center currently has 1 driveway from Jones Boulevard and 1 driveway on Cactus Avenue.

Landscaping

The existing street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Cactus Avenue and Jones Boulevard.

Elevations

The 8 foot high food cart is an enclosed trailer with a hitch and double axel wheels. The exterior of the food cart is red and black with white accents, with painted signage and logos. A serving window is located on the south side of the food cart facing towards the parking lot.

Floor Plans

The entire food trailer is approximately 112 square feet in area, including cooking and storage space.

Applicant's Justification

The applicant indicates the hours of operation will be Monday through Sunday from 3:00 p.m. to 12:00 a.m. There will be a total of 3 employees. According to the applicant the food truck will be placed on a paved location on the site and will take up 2 parking spaces. However, this does not impact overall parking since the site is the parking requirement.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-20-0445	Parking lot landscaping and site design changes to a previously approved commercial center	Approved by BCC	November 2020
VS-19-0339	Vacated and abandoned patent easements and a portion of right-of-way being Jones Boulevard	Approved by PC	June 2019
TM-18-500145	1 lot commercial subdivision	Approved by BCC	December 2018
UC-0789-16	Redesign of a convenience store, gas station, vehicle wash, smog check, and reduced the separation to a residential use	Approved by BCC	January 2017
UC-0525-14	Vehicle wash, gasoline station, and reduced the separation from a gasoline station to a residential use, with a waiver to reduce driveway separation, and a design review for a shopping center - expunged	Approved by BCC	July 2014
ZC-0726-07	Reclassified the subject property to C-1 zoning with a use permit, waiver, and design review for a shopping center and on-premises consumption of alcohol, convenience store, and reduced separation from a residential development	Approved by BCC	August 2007



### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Land	R-E	Undeveloped
South	Neighborhood Commercial	C-1	Remaining undeveloped portion of the shopping center
East	Major Development Project (Southern Highlands)	R-2	Single family residential
West	Neighborhood Commercial	R-2	Single family residential

### STANDARDS FOR APPROVAL:

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

#### Analysis

#### Comprehensive Planning

##### Use Permit

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

##### Use Permit & Design Review

A use permit is required for a food cart when located outside a building. The purpose of the use permit and design review is to evaluate and determine if the proposed food cart will have any impacts on the adjacent and surrounding uses. The proposed location for the food cart is within an existing parking area that will not affect on-site parking or adjacent developments. The property has more than enough parking spaces to accommodate the proposed food cart use and when not in use the trailer will be removed from the site. Therefore, staff can support these requests.

#### Staff Recommendation

##### Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: TRIANA SERVICES**

**CONTACT: TRIANA SERVICES, 4660 S. EASTERN AVENUE, SUITE 202, LAS VEGAS,  
NV 89119**

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0048</u> DATE FILED: <u>1-31-23</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3-15-23</u> PC MEETING DATE: <u>4-4-23</u> BCC MEETING DATE: _____ FEE: <u>\$1350.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>MFE Inc.</u> ADDRESS: <u>955 Temple View Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110</u> TELEPHONE: <u>(702) 375-7084</u> CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Ismael Gutierrez Perez</u> ADDRESS: <u>4950 Nevada Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89107</u> TELEPHONE: _____      CELL: <u>(702) 613-7464</u> E-MAIL: <u>StreetTacos2018@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Tran Services / Lucia Tran</u> ADDRESS: <u>4646 S Eastern Ave Ste 203</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 434-8070</u> CELL: _____ E-MAIL: <u>tranasservices@yahoo.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-35-520-007  
 PROPERTY ADDRESS and/or CROSS STREETS: 645 W Cactus Ave Las Vegas NV 89141  
 PROJECT DESCRIPTION: Street Tacos At Vegas #2

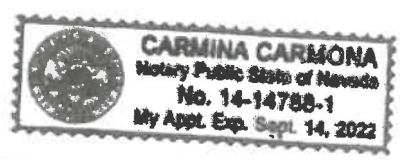
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Maria Enamorado  
 Property Owner (Signature)\*      MARIA ENAMORADO  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 9/07/22 (DATE)  
 by Maria Enamorado

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

October 17, 2022

To whom it may concern:

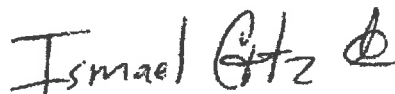
With this letter I, Ismael Gutierrez Perez, owner of Street Tacos Al Vapor, would like to inform you that I'm applying for a Special Use Permit for a mobile food vendor located outside of Circle K at 6145 W Cactus Ave Las Vegas, NV 89141

- Hours of operation will be Monday through Sunday 3pm to 12am.
- Total number of employees will be 3
- Parcel #- 176-35-520-001
- Street Tacos Al Vapor counts with 1 similar mobile vendor located at 330 W Centennial Pkwy N. Las Vegas NV 89084
- The food truck dimensions are 14 feet long x 8 feet wide.
- The food truck will be placed on a paved location and will take up two parking spaces. This will not impact overall parking since the site exceeds parking requirements.

We have provided the requirements for a Special Use Permit to meet all the regulations.

If you have any questions please contact my bookkeeper Triana Services since they have all of my records at 702-434-8070

Sincerely,

A handwritten signature in black ink that reads "Ismael Gutierrez Perez" followed by a stylized circular flourish.

Ismael Gutierrez Perez

Owner