



Enterprise Town Advisory Board

Clark County Commission Chambers

500 South Grand Central Pkwy

Las Vegas, NV 89155

March 31, 2021

6:00pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at 702-371-7991 and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to TLH@clarkcountynv.gov, before 04:00 pm, March 31, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

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

Barris Kaiser, Vice Chair
Gabriela Everett

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

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

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

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

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

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to TLH@clarkcountynv.gov, before 04:00 pm, on March 31, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for March 10, 2021. (For possible action)
- IV. Approval of the Agenda for March 31, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)

VI. Planning and Zoning

- 1. **NZC-21-0037-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce landscaping; **2)** reduce height/setback ratio; **3)** reduce parking; and **4)** alternative driveway geometrics.
DESIGN REVIEW for a commercial complex. Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jt/jd (For possible action) **04/06/21 PC**
- 2. **UC-20-0543-AFRIDI ROMMAN KHAN:**
HOLDOVER USE PERMITS for the following: **1)** allow a communication tower; **2)** increased communication tower height; and **3)** reduced communication tower setback.
DESIGN REVIEW for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action) **04/06/21 PC**
- 3. **NZC-20-0524-MAK ZAK LLC, ET AL:**
HOLDOVER ZONE CHANGES for the following: **1)** reclassify 9.8 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone; and **2)** reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-I) Zone and C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.
USE PERMIT for a planned unit development (townhomes).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce setbacks; **3)** reduce parking; **4)** increase the number of dwelling units accessing a private drive; **5)** reduce street intersection off-set; **6)** alternative residential driveway geometrics; **7)** reduce curb radius; and **8)** allow an inverted street cross section.

DESIGN REVIEWS for the following: **1)** a single family residential subdivision on 9.8 acres; **2)** a townhome planned unit development on 7.4 acres; **3)** allow a hammerhead cul-de-sac design; and **4)** increased finished grade. Generally located on the north and south sides of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise (description on file). JJ/jt/jd (For possible action) **04/07/21 BCC**

4. **VS-20-0523-MAK ZAK, LLC:**

AMENDED HOLDOVER VACATE AND ABANDON a portion of a right-of-way being Miller Lane located between Raven Avenue and Agate Avenue (alignment) (previously not notified) and easements of interest to Clark County located between Raven Avenue (alignment) (previously notified as Agate Avenue) and Blue Diamond Road, and between Buffalo Drive (previously notified as Miller Lane) and Warbonnet Way (alignment) within Enterprise (description on file). JJ/jt/jd (For possible action) **04/07/21 BCC**

5. **TM-20-500185-MAK ZAK, LLC:**

AMENDED HOLDOVER TENTATIVE MAP consisting of 76 lots (previously 78) and common lots on 9.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action) **04/07/21 BCC**

6. **TM-20-500186-MAK ZAK LLC, ET AL:**

AMENDED HOLDOVER TENTATIVE MAP consisting of 99 lots (previously 100) and common lots on 7.4 acres in a RUD (Residential Urban Density) Zone. Generally located on the south side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action) **04/07/21 BCC**

7. **ZC-20-0284-LH VENTURES, LLC:**

HOLDOVER ZONE CHANGE to reclassify a 14.6 acre portion of a 37.5 acre site from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.

DESIGN REVIEWS for the following: **1)** a proposed charter school site; and **2)** finished grade. Generally located on the east side of Tenaya Way and the north side of Agate Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**

8. **VS-20-0285-LH VENTURES, LLC:**

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Tenaya Way and Montessouri Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**

9. **AG-20-900314:** The Enterprise Town Advisory Board conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and after considering the request, forward a recommendation to the Planning Commission. (For possible action) **04/20/21 PC**

10. **NZC-21-0088-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 4.6 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise (description on file). MN/md/jd (For possible action) **04/20/21 PC**

11. **VS-21-0089-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Starr Avenue and Doobie Avenue, and between Placid Street and La Cienega Street within Enterprise (description on file). MN/md/jd (For possible action) **04/20/21 PC**
12. **TM-21-500023-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
TENTATIVE MAP consisting of 25 lots and common lots on 4.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise. MN/md/jd (For possible action) **04/20/21 PC**
13. **VS-21-0071-GILLIHAN, BRADLEY:**
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Wigwam Avenue, and between Pioneer Way and Jerlyn Street within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**
14. **VS-21-0075-CLARK COUNTY (AVIATION):**
VACATE AND ABANDON easements of interest to Clark County located between CC 215 and Badura Avenue (alignment) and Decatur Boulevard and the Union Pacific Railroad, and a portion of a right-of-way being Decatur Boulevard located at the end of the Badura Avenue alignment within Enterprise (description on file). MN/nr/jd (For possible action) **04/20/21 PC**
15. **VS-21-0081-EAGLE PROMENADE, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Mardon Avenue and Eldorado Lane and between Rosanna Street and Rainbow Boulevard within Enterprise (description on file). MN/jor/jd (For possible action) **04/20/21 PC**
16. **WS-21-0074-DBAC, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce lot area in conjunction with a single family residential development on 12.4 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the west side of Hinson Street and the north side of Maule Avenue within Enterprise. MN/lm/jd (For possible action) **04/20/21 PC**
17. **DR-21-0083-PARDEE HOMES NEVADA:**
DESIGN REVIEW for modified setbacks for 4 lots in a residential Planned Unit Development on 0.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/nr/jd (For possible action) **04/21/21 BCC**
18. **ET-21-400024 (ZC-18-0961)-LONE MOUNTAIN PARTNERS, LLC:**
DESIGN REVIEW FIRST EXTENSION OF TIME for the following: 1) restaurant buildings with drive-thru service; and 2) alternative parking lot landscaping in conjunction with a commercial development. Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For possible action) **04/21/21 BCC**

19. **ET-21-400025 (VS-18-0962)-LONE MOUNTAIN PARTNERS, LLC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of a right-of-way being Schirlls Street located between Blue Diamond Road and Wigwam Avenue within Enterprise. Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For possible action) **04/21/21 BCC**
20. **ET-21-400028 (UC-18-0874)-CLAYTON PLAZA LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** convenience store; **2)** gasoline station; **3)** reduce the separation from a proposed convenience store to a residential use; and **4)** reduce the separation from a proposed gasoline station to a residential use.
DESIGN REVIEW for a convenience store and gasoline station on a portion of 3.9 acres in a C-1 (Local Business) Zone. Generally located on the south side of Windmill Lane and the west side of Buffalo Drive within Enterprise. JJ/lm/jd (For possible action) **04/21/21 BCC**
21. **ET-21-400029 (ZC-19-0020)-DECATUR COMMONS, LLC:**
FIRST EXTENSION OF TIME USE PERMITS for the following: **1)** retail sales as a principal use; **2)** restaurants; **3)** on-premises consumption of alcohol (tavern); and **4)** future hotel.
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.
DESIGN REVIEW for a commercial retail center on 5.6 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the east side of Decatur Boulevard and the north side of the CC 215 within Enterprise (description on file). MN/lm/jd (For possible action) **04/21/21 BCC**
22. **ET-21-400030 (WS-18-0971)-HANWEN RAINBOW, LLC:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for modified driveway design standards.
DESIGN REVIEW for a proposed shopping center on 3.8 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Windmill Lane within Enterprise. JJ/sd/jd (For possible action) **04/21/21 BCC**
23. **UC-20-0338-SANG TJIE GIOK:**
HOLDOVER USE PERMITS for the following: **1)** place of worship; **2)** increased height of a place of worship; and **3)** increased height of a freestanding sign.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks; **2)** driveway geometrics; and **3)** departure distance.
DESIGN REVIEW for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nr/jd (For possible action) **04/21/21 BCC**
24. **WC-21-400026 (NZC-18-0287)-GREYSTONE NEVADA, LLC:**
WAIVER OF CONDITIONS of a nonconforming zone change requiring that the project must meet Mountains Edge design guidelines and standards in conjunction with a single family, hillside development consisting of 220 single family residential lots on 41.9 acres in an R-2 (Medium Density Residential District) Zone. Generally located on the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment) within Enterprise. JJ/sd/jd (For possible action) **04/21/21 BCC**

25. **WS-21-0091-KB HOME LV SAGE GLEN, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase screen and retaining wall height in conjunction with a single family residential subdivision.
DESIGN REVIEW for increased retaining wall height on 24.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise. JJ/jgh/jd (For possible action) **04/21/21 BCC**

VII. General Business

1. None.

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

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- IX. Next Meeting Date: April 14, 2021 at 6:00 pm.

- X. Adjournment.

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

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



Enterprise Town Advisory Board

March 10, 2021

MINUTES

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

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

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

Steven DeMerritt and Paul Doerr, Current Planning

II. Public Comment

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

- None.

III. Approval of February 24, 2021 Minutes (For possible action)

Motion by David Chestnut

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

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

IV. Approval of Agenda for March 10, 2021 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

Applicant requested hold:

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

Related applications to be heard together:

3. NZC-21-0056-BIG TETON, LLC:
4. VS-21-0057-BIG TETON, LLC:
5. TM-21-500014-BIG TETON, LLC:

8. WC-21-400012 (ZC-1198-07)-CHELSEI HOLDING, LLC:
9. UC-21-0033-CHELSEI HOLDING, LLC:

Agenda Change:

- Item # 6 PA-20-700149 will be heard prior to item # 2 NZC-21-0037.

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
 - None

VI. Planning & Zoning

1. **UC-20-0543-AFRIDI ROMMAN KHAN:**
USE PERMITS for the following: **1) allow a communication tower; 2) increased communication tower height; and 3) reduced communication tower setback.**
DESIGN REVIEW for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action) **03/02/21 PC**

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

2. **NZC-21-0037-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1) reduce landscaping; 2) reduce height/setback ratio; 3) reduce parking; and 4) alternative driveway geometrics.**
DESIGN REVIEW for a commercial complex. Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jt/jd (For possible action) **04/06/21 PC**

Motion by David Chestnut

Action: **HOLD** to the Enterprise Town Board meeting on March 31, 2021.

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

3. **NZC-21-0056-BIG TETON, LLC:**
ZONE CHANGE to reclassify 8.8 acres from R-E (Rural Estates Residential) Zone and H-1 (Limited Resort and Apartment) Zone to R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to reduce street intersection off-set.

DESIGN REVIEWS for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the southeast corner of Frias Avenue and Giles Street within Enterprise (description on file). MN/al/jd (For possible action) **04/06/21 PC**

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

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

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

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

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

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

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

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

Motion by Joseph Throneberry
Action: **APPROVE**
CHANGE Current Planning Bullet #1 to Read:
• Until April 7 2023 to complete.
Per staff conditions.
Motion **PASSED** (4-1) / Kaiser **NAY**

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

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

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

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

- Design review as a public hearing for lighting and signage;
- Design review as a public hearing for significant change to plans.
- Mechanical and electrical equipment to be screened.

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

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

Motion by Gabriela Everett
Action:
APPROVE: Waivers of Development Standards #s 1 and 2;
DENY: Waivers of Development Standards # 3;
APPROVE Design Review.
Per staff if approved conditions.
Motion **PASSED** (5-0)/ Unanimous.

VII. General Business:

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

The TAB reviewed "Making a Motion" with the emphasis on (see attached).

- Motion to be structured in the same order as on the agenda.
- Conditions need to be clear and understood by other county boards and agencies.
- A motion must be enforceable.
- Cannot require action by agencies outside county control.

VIII. Public Comment:

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

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- None.

IX. Next Meeting Date

The next regular meeting will be March 31, 2021 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut
ADJOURN meeting at 7:56 p.m.
Motion **PASSED** (5-0) /Unanimous

Making a Motion

March 10, 2021

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

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

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

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

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

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

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

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

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

Any motion must be enforceable by Clark County:

- A motion should not include recommendations which require a new application (in such cases the recommendation should be for denial of what is in front of you)
 - Do not recommend a zone change from a conforming request to a non-conforming zone change
 - Do not recommend changes which require entirely new waivers to be filed
 - Do not add conditions to a denial.

- A motion should not include recommendations which are not measurable or enforceable... Clark County Public Response Office (Code Enforcement) is the enforcement entity for Title 30 and must be able to effectively observe and enforce conditions.
 - Recommendations should not include conditions for which enforcement falls under other entities (i.e. Business License, Health District, School District, LVMPD, State Water Engineer)
 - Some agreements between the applicant and interested parties amount to a private agreement which may be difficult for the County to enforce. If an applicant has worked with neighbors and offers concessions or a list of conditions, those can be read into the record and included as part of your recommendation, but oftentimes these may not ultimately be enforceable.

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

Example TAB conditions:

ADD Current Planning condition:

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

ADD Public Works - Development Review conditions:

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

Possible actions on each motion element:

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

04/06/21 PC AGENDA SHEET

COMMERCIAL COMPLEX
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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

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

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

DESIGN REVIEW for a commercial complex.

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

RELATED INFORMATION:

APN:

177-30-103-004

WAIVERS OF DEVELOPMENT STANDARDS:

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

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

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

Neighborhood Meeting Summary

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

Site Plan

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

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

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

Landscaping

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

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

Elevations

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

Floor Plans

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

Signage

Signage is not a part of this request.

Applicant's Justification

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

Prior Land Use Requests

Application Number	Request	Action	Date
SC-N156-03	Rename Gomer Road to Silverado Ranch Boulevard	Approved by PC	September 2003

Surrounding Land Use

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

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

- 1. A change in law, policies, trends, or facts after the adoption, 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.*

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

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

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

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

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

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

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

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services.

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

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

Summary

Zone Change

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

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

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

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

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

Public Works - Development Review

Waiver of Development Standards #4

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

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- No permits shall be issued until the deed conveying ownership of the parcels to the applicant, LV Cactus Schrilis, LLC., or its successors or assigns, is recorded;
- Provide cross access with the adjacent parcel to the east if the adjacent parcel to the east develops with commercial uses;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any future restaurant uses within the retail buildings may require additional on-site spaces or a land use application to reduce the required number of parking spaces which may not be supported by staff; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time

may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Coordinate with Public Works - Design Division for the Silverado Ranch Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Silverado Ranch Boulevard improvement project;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

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

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

APPLICANT: SHELDON COLEN

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



LAND USE APPLICATION 1A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

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

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

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

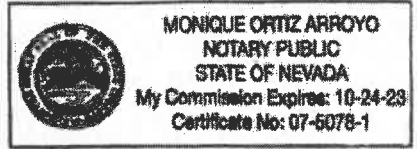
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

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

STATE OF NEVADA
 COUNTY OF CLARK

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

NOTARY PUBLIC: *[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.



2580 St. Rose Parkway, Suite 305,
Henderson, NV 89074

Tel.: (702) 719-2020 Fax: (702) 269-9673

Gary L. Carlson, Architect (License No. 1859)

Sheldon Colen, Architect (License No. 7701)

January 5, 2021

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

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

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

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

between required trees at 20'-0" on center.

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

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

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

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

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

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

Thank you,

Sheldon Colen,
SCA Design



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

October 29, 2020

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you,

Sheldon Colen
SCA Design

COMMUNICATION TOWER
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-20-0543-AFRIDI ROMMAN KHAN:

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

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

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

RELATED INFORMATION:

APN:

177-09-202-018

USE PERMITS:

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

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

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

Site Plan

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

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

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

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

Landscaping

Plans show that 32 Arborvitae trees spaced 7 feet apart will be planted surrounding the ground lease space area adjacent to the proposed screening.

Elevations

The elevation plans show a proposed 80 foot high monopole with future antennas to be installed at the top half of the communication tower. The plans also show a 4 foot high lighting rod to be affixed at the very top of the tower and will be blended in with the faux branches. Lastly, the proposed screening around the lease area will be a 6 foot high decorative split-face CMU block wall matching the existing architecture in the immediate area.

Floor Plans

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

Signage

Signage is not a part of this request.

Applicant's Justification

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

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0645	Communication tower, reduced setbacks, and design review for the proposed communication tower - expired	Held no date	November 2019

Application Number	Request	Action	Date
VS-18-1018	Vacated and abandoned government patent easements - recorded	Approved by PC	February 2019
WS-0053-10	Appealed an administrative application for an extension of time in lieu of an off-site permit in conjunction with a proposed residential development	Approved by BCC	March 2010
ET-400396-07 (WS-0732-06)	First extension of time to commence waiving full off-site improvements, including paving	Approved by BCC	January 2008
WS-0732-06	Waived full off-site improvements including paving	Approved by BCC	July 2006
ZC-1026-05	Reclassified approximately 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

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

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permit #1

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

Use Permit #2

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

Use Permit #3

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

Design Review

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

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; the County is currently rewriting Title 30 and future land

use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Department of Aviation

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS: 7 cards, 1 letter

PLANNING COMMISSION ACTION: March 2, 2021 – HELD – To 03/16/21 – per the applicant.

PLANNING COMMISSION ACTION: March 16, 2021 – HELD – To 04/06/21 – per the applicant.

APPLICANT: CORNELIUS WHITEHEAD

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

DRAFT



LAND USE APPLICATION
DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNER
COPYAR

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-20-0543</u> DATE FILED: <u>12/3/20</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>1/13/2021</u> PC MEETING DATE: <u>2/2/2021</u> BCC MEETING DATE: _____ FEE: <u>\$1,825</u>
	PROPERTY OWNER NAME: <u>Romman Afridi Khan</u> ADDRESS: <u>7701 W Robindale Road #236</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-481-7700</u> CELL: _____ E-MAIL: <u>rka0@msn.</u>
	APPLICANT NAME: <u>Atlas Tower 1, LLC</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Cornelius Whitehead</u> ADDRESS: <u>3002 Bluff Street Suite 300</u> CITY: <u>Boulder</u> STATE: <u>CO</u> ZIP: <u>80301</u> TELEPHONE: <u>303-448-8896</u> CELL: _____ E-MAIL: <u>cwhitehead@atlastowers.com</u> REF CONTACT ID #: _____

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

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

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

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

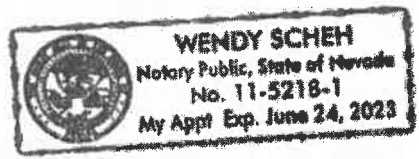
Romman Afridi Khan
 Property Owner (Signature)

ROMMAN AFRIDI KHAN
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/12/2020 (DATE)

By Romman Afridi Khan
 NOTARY PUBLIC: Wendy Scheh



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

ATLAS TOWER

Justification & Zoning Narrative Letter – “LV Outlet”

Thursday, January 21, 2021

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

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

To Whom It May Concern:

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

SITE DETAILS

Land Owner:

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

Site Address/ Parcel ID:

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

Applicant:

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

Coordinates:

N36°03'08.19"
W115°10'01.10"

Zoning:

Rural Estates Residential (R-E)

Lease Area:

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

PROPOSAL SUMMARY & REQUEST

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

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

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

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

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

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

PROXIMITY REQUIREMENTS:

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

Site Qualifications:

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

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



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

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

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

EXISTING AND FUTURE NEED:

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

PUBLIC SAFETY:

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

SIMILAR FACILITIES WITHIN CLARK COUNTY:

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

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

WIRELESS TELECOMMUNICATION FACILITY CHARACTERISTICS

Visual Effect

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

Frequency Of Maintenance Work On The Proposed Facility

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

The Average Number Of Vehicles Visiting The Facility

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

The Average Duration Work Visits On The Facility

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

Expected Noise Levels

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

CLARK COUNTY DEVELOPMENT CODE 30.44-28 & 30.44-29

1. Design standards for all towers. (These conditions may be modified with the approval of the special use permit.)
 - A. Unless otherwise required as a condition of approval all towers shall be designed to accommodate more than 1 antenna array, and towers higher than 80 feet must accommodate at least 3 antenna arrays.

Response: This tower will be 80 feet in height with a 4 foot lighting rod and will be able to accommodate up to three national broadband mobile network carrier’s antenna arrays.

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

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

G. The following setbacks shall be required:

i. When located within a public utility substation, 10 feet minimum from street and 20 feet minimum from residential development.

Response: This section is not applicable as this project is not located within a public utility substation.

ii. For all other towers:

(a) From any street: minimum 40 feet.

Response: This project meets this requirement as the nearest street is approximately 50 feet from tower site.

(b) From residential development located on a separate property than on which the tower is located:

(1) If lot is 2 ½ acres or greater: minimum distance shall be at least 300% of the height of the tower.

Response: Proposed site is located on a Property that is .82 acres and thus the above does not apply.

(2) If lot is less than 2 ½ acres: minimum distance shall be at least 200% of the height of the tower.

Response: In order to provide the necessary tower height for cellular coverage, Applicant is proposing a total structure height of 84 feet. As written, the development standards would require this proposal to be setback 168 feet from any property line, however, as the parent parcel is roughly 117 feet wide, there is no possibility of meeting this setback requirement and Applicant is requesting a reduction for these Development Standards to 54'. The proposed tower location was chosen as it is set equidistance from the Northern and Southern property lines roughly 54' each. A 54' setback is the absolute maximum setback can could be achieved on this parent parcel and if applicant were to move the communication tower location any direction other than east, the communication facility would no longer be equidistance from the adjacent parcel boundaries.

(3) Exception. In no case shall the setback be a distance equal to more than 75% of the width of the lot, measured from the property line that abuts or is closest to the residential development to the property line on the opposite side of the lot.

Response: This exception does not apply to this proposal.

H. A minimum separation of 600 feet from another communication tower unless designed and constructed in a stealth design in a cluster.

Response: This project meets this requirement, as the nearest communication tower is FCC Registration # 1011149 and is over 2,400 feet away from the proposed project location, as shown in the aerial image below.



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

Response: Applicant acknowledges and accepts this requirement.

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

Response: Applicant acknowledges and accepts this requirement.

CLARK COUNTY DEVELOPMENT CODE 30.64.020 Fences and Walls.

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

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

Response: Applicant acknowledges and accepts this subsection.

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

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

CONCLUSION

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

Best Regards,

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

RESIDENTIAL SUBDIVISIONS
(TITLE 30)

UPDATE
AGATE AVE/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-20-0524-MAK ZAK LLC, ET AL:

HOLDOVER ZONE CHANGES for the following: **1)** reclassify 9.8 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone; and **2)** reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-I) Zone and C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.

USE PERMIT for a planned unit development (townhomes).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce setbacks; **3)** reduce parking; **4)** increase the number of dwelling units accessing a private drive; **5)** reduce street intersection off-set; **6)** alternative residential driveway geometrics; **7)** reduce curb radius; and **8)** allow an inverted street cross section.

DESIGN REVIEWS for the following: **1)** a single family residential subdivision on 9.8 acres; **2)** a townhome planned unit development on 7.4 acres; **3)** allow a hammerhead cul-de-sac design; and **4)** increased finished grade.

Generally located on the north and south sides of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise (description on file) JJ/jt/d (For possible action)

RELATED INFORMATION:

APN:

176-21-501-030; 176-21-601-005; 176-21-601-022 through 176-21-601-023

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase block wall height to **12 feet** (6 feet of retaining wall plus 6 feet of screen wall) where 9 feet (3 feet of retaining wall plus 6 feet of screen wall) is the maximum per Section 30.64.050 (a **33%** increase).
2.
 - a. **Reduce** the setback for residential units from a drive aisle to **5 feet** where 10 feet is required per Section 30.24.080 (a **50%** reduction).
 - b. **Reduce the setback for residential units from a street to 6 feet where 10 feet is required per Section 30.24.080 (a 40% reduction).**
 - c. Reduce height/setback ratio to 10 feet where 58 feet 6 inches is required from the townhomes to a single family residence to the east per Figure 30.56-10 (an **83%** reduction).
 - d. Reduce height/setback ratio to 7 feet where 58 feet 6 inches is required from the townhomes to a single family residence to the south per Figure 30.56-10 (an **88%** reduction).

3. Reduce parking for a townhome planned unit development to 224 spaces where 253 spaces are required (a 13% reduction).
4. Increase the number of dwelling units accessing a private drive to 8 where 6 is the maximum per Section 30.52.030 (a 34% increase).
5.
 - a. Reduce the street intersection off-set between Miller Lane and Private Drive H to 60 feet where 125 feet is the minimum per Section 30.52.052 (a 52% reduction).
 - b. Reduce the street intersection off-set between Miller Lane and Private Drive I to 60 feet where 125 feet is the minimum per Section 30.52.052 (a 52% reduction).
6. Reduce the distance from a residential driveway to a property line to 2 feet where 6 feet is the minimum per Uniform Standard Drawing 222 (a 67% reduction).
7. Reduce minimum back of curb radius to 15 feet where 20 feet is the minimum per Uniform Standard Drawing 201 (a 34% decrease).
8. Allow an inverted street cross section where a crown street cross section is required per Uniform Standard Drawing 210.S1.

DESIGN REVIEWS:

1. Single family subdivision on 9.8 acres.
2. Townhome planned unit development on 7.4 acres.
3. Allow a hammerhead cul-de-sac design where not allowed per Section 30.56.080.
4. Increase finished grade to 64 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 255% increase).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL
 ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

BACKGROUND:

Project Description

General Summary - Single Family Subdivision (north of Agate Avenue)

- Site Address: N/A
- Site Acreage: 9.8
- Number of Lots: 76
- Density (du/ac): 7.8
- Minimum/Maximum Lot Size (square feet): 3,300/5,885
- Number of Stories: 2
- Building Height: 24 feet, 7 inches
- Square Feet: 1,562/1,673/1,836

General Summary - Townhome Planned Unit Development (south of Agate Avenue)

- Site Address: N/A
- Site Acreage: 7.4
- Number of Lots: 99
- Density (du/ac): 13.5
- Minimum/Maximum Lot Size (square feet): 945/965
- Number of Stories: 2

- Building Height: 25 feet, 6 inches
- Square Feet: 1,308/1,344/1,405/1,426
- Open Space Required/Provided (square feet): 25,146/39,576
- Parking Required/Provided: 253/224

Neighborhood Meeting Summary

Meeting invitations were mailed to property owners within a 1,500 foot radius of the site for a virtual neighborhood meeting, which was held on August 24, 2020 at 5:30 p.m. Six neighbors attended the virtual meeting, and 4 attendees expressed opposition. Items discussed at the meeting included providing larger lots on the perimeter of the site and requiring a noise/odor disclosure for new homeowners since the subdivision will be adjacent to residential properties with horses.

Site Plans

Single Family Subdivision (north of Agate Avenue):

The plans depict a single family residential subdivision on 9.8 acres on the north side of Agate Avenue. Public Streets will include Agate Avenue, which runs east/west, and Warbonnet Way, which runs north/south. These public streets are 60 feet wide with 5 foot wide sidewalks on each side. Private streets that are 44 feet wide with a 5 foot wide sidewalk on 1 side include a private street running east/west, and 2 private streets that extend north of Agate Avenue. **The western north/south private street ends in a hammerhead cul-de-sac design, and the eastern north/south private street ends in a stub street.**

Larger lots, **greater than 5,000** square feet, are located **along the north side** of the site. All the other lots in the subdivision are at least 3,300 square feet.

Townhome Planned Unit Development (south of Agate Avenue):

The plans depict a townhome development on the south side of Agate Avenue, the east side of Warbonnet Way, and the east and west sides of Miller Lane. Approximately 2.4 acres of the project are located on the east side of Miller Lane, and approximately 5 acres are located on the west side of Miller Lane. Miller Lane provides the only vehicular access to both the east and west sides of the development. Entrance drives are 33 foot wide private drives, and within the townhome development, the private drives are 25 feet wide. Speed humps are provided to slow traffic on the longer sections of the internal private drives.

Townhomes are arranged into **24** separate 4 plex buildings **and one, 3 plex building**. Eight of the buildings are located on the east side of Miller Lane, and 17 buildings are located on the west side of Miller Lane. A reduction to the minimum height/setback ratio is required since proposed setbacks are 10 feet to the east, which is adjacent to a single family residence, and 7 feet to the south, a portion of which is adjacent to a single family residence. Setbacks for the individual townhomes are as follows:

- **Rear:** 7 feet
- **Side:** zero feet

- **Side adjacent to a street: 6 feet**
- **Front: 5 feet**
- **Garage/Driveway: 5 feet**

Townhome buildings include a 5 foot **front** setback for the garages and driveways, **which** requires a waiver of development standards **since** a minimum 10 foot setback is required. **Also, the side setbacks of the townhomes are reduced to 6 feet where 10 feet is required, which also requires a waiver of development standards.**

Landscaping

Single Family Subdivision (north of Agate Avenue):

Landscaping is included on common lots on the side of certain residential lots adjacent to the public streets. In addition, trees are shown in the rear and side yards of residential lots along the perimeter of the subdivision, **per Title 30 standards**, to help provide an additional landscape buffer.

Townhome Planned Unit Development (south of Agate Avenue):

Open space with landscaping is provided on common lots around the perimeter of the project, around the **3 and 4** plex buildings, and on a 24,901 square foot centralized common lot on the west side of the entrance from Miller Lane. The applicant indicates that the perimeter of the townhome development will be fenced; however, pedestrian access gates will be provided to the exterior of the project to access parking spaces on the public streets. Also, the vehicular driveways are not gated.

Elevations

Single Family Subdivision (north of Agate Avenue):

Homes within the single family residential subdivision are 2 stories and extend up to 24 feet 7 inches to the top of the pitched barrel tile roof. Exterior materials include painted stucco and decorative foam pop-outs around the windows on the front of the house and above the windows and sliding glass door on the side and rear.

Townhome Planned Unit Development (south of Agate Avenue):

The townhomes are 2 stories and extend up to 25 feet 6 inches to the top of the pitched asphalt shingle roof. Exterior elevations include multiple off-set surface planes painted solid subdued grey, blue, and off-white to help break-up the visual mass of the buildings. The exterior will consist of painted stucco.

Floor Plans

Single Family Subdivision (north of Agate Avenue):

Floor plans for the single family homes are 1,562, 1,673, and 1,836 square feet. The first floor includes a 2 car garage, great room, dining room, kitchen, and half bathroom. The second floor includes bedrooms, bathrooms, and laundry room.

Townhome Planned Unit Development (south of Agate Avenue):

Floor plans for the townhomes are 1,308, 1,344, 1,405, and 1,426 square feet. The first floor includes either a 1 or 2 car garage, kitchen, and living space. The second floor includes the bedrooms and bathrooms. There is no bathroom on the first floor for any model of the townhomes.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the project is consistent with the current trends of residential development in the area. The zoning is appropriate, and the alternative standards are the minimum necessary to development the site.

For example, the increased finished grade is necessary due to the existing slope of the site from west to east. Fill areas will be located along the eastern portion of the site to accommodate existing drainage patterns. Similarly, the increased retaining wall is due to the slope of the site. Increased wall height will only occur along the western boundary of the site, adjacent to Warbonnet Way. Lots adjacent to Warbonnet Way will be set below the grade of the street, which necessitates increasing the retaining wall from 3 feet to 6 feet. This portion of the site will be lowered to accommodate existing drainage patterns.

The proposed hammerhead street design will not create any negative impacts since the proposed single family residential development will include 20 foot driveways and 2 car garages.

Regarding the waivers of development standards, the applicant indicates that the alternatives will not negatively impact adjacent properties. For instance, the reduced/height setback ratio should not create any negative impacts to the 2 adjacent single family residential lots. Large 24 inch box trees are provided to help create a visual buffer. Reduced setbacks for the residential units from drive aisles is 5 feet, and the reduced side street setbacks to 6 feet is appropriate for the overall compact design of the project. Also, according to the applicant, the reduction in parking for the townhome development is minor, and it will not impact the livability of the development.

Several waivers of development standards are necessary for off-site development requirements. According to the applicant, increasing the number of dwelling units that access a private drive from 6 to 8 units will not impact the livability of the development since the 25 foot wide private drives are connected on either side to wider private drives. This will allow 2 points of access rather than a single point of access on a cul-de-sac or dead-end drive.

Reducing the street intersection off-set is necessary due to the design of the townhomes and the narrowness of the parcels. Speed of drivers will already be reduced in the townhome

development, and the number of drivers accessing these private drives will mostly be limited to residents.

The reduced setback from the driveways **and streets** to the property lines in the townhome complex is due to the types of units proposed. The applicant does not anticipate any detriment to the livability or safety of the development with the reduced setbacks.

A 15 foot back radius on the stub drives within the townhome development is necessary due to the limited area between the main access drives and the stub streets. These areas will serve a maximum of 3 units, the opposite curb radius is the standard 20 feet, and they will not limit any vehicular movements or Fire Department access.

Lastly, an inverted street section is necessary to avoid water going into the garages of the townhome units. The inverted street section will channel water to the wider private drives, which will convey water to the appropriate area.

Overall, the applicant indicates that the project is in harmony with the general purpose, goals, objectives, and standards for Clark County.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-18-700015	Plan amendment to change the land use category for 20 acres, which included the portion of the site north of Agate Avenue, from RNP to RS; reduced to RL (Residential Low) by the Board of County Commissioners	Approved by BCC	March 2019
ZC-1026-05	Reclassified approximately 3,800 parcels, including the northern and eastern portion of the subject site, to R-E (RNP-I) zoning	Approved by BCC	October 2005
ZC-0001-07	Reclassified the southwestern portion of the subject site to C-2 zoning for a grocery store and convenience store	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Public Facilities	R-E (RNP-I)	Single family residential & undeveloped
South	Residential High (8 du/ac to 18 du/ac) & Commercial General	R-E & C-2	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I) & R-E	Single family residential
West	Residential Low (up to 3.5 du/ac) & Residential High (8 du/ac to 18 du/ac)	R-E (RNP-I) & R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-20-0523	A vacation and abandonment of patent easements along Miller Lane is a companion item on this agenda.
TM-20-500185	A tentative map for a single family subdivision north of Agate Avenue is a companion item on this agenda.
TM-20-500186	A tentative map for a townhome planned unit development south of Agate Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.*

Since the last amendment to the Enterprise Land Use Plan in 2019, there has been significant development of residential and commercial projects in the planning area. Therefore, the trend in development makes the residential zoning appropriate.

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

Twenty-five acres of undeveloped land to the north of this development is planned Public Facility uses, undeveloped land to the west is planned for Residential Low and Residential High uses, and undeveloped parcels to the south are planned for Commercial General uses. Although 1 single family residential lot (2 acres) is located to the north side of the project, a 2.5 acre undeveloped lot north of the site is planned for Rural Neighborhood Preservation uses, and 2 single family residential lots (1.9 acres each) are located to the east, the majority of the surrounding undeveloped land is planned for uses with similar density and intensity to the proposed zoning districts.

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

The proposed residential zoning districts will not result on any additional impacts on the surrounding infrastructure not already contemplated for the area. However, the Clark County School District indicates that Steele Elementary School, Canarelli Middle School, and Sierra Vista High School were all over capacity for the 2019-2020 school year.

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

The proposed zoning districts comply with several goals and policies in the Comprehensive Master Plan. For example, Land Use Goal 2 encourages a mix of residential, commercial, and public facility uses. Public Facility uses are planned to the north of this site (however, the parcel planned for Public Facility uses closest to the subject project is under private ownership), and commercial uses are planned to the south of the site. As a result, the residential zoning will create a transition and mix of uses in the area. Similarly, Urban Specific Policy 7 encourages, in part, land uses that are complementary and of a similar scale and intensity. The single family zoning north of Agate Avenue is a similar intensity to the planned Residential Low uses to the west, Public Facility uses to the north, and the Commercial General uses to the south. South of Agate Avenue, the proposed Residential Urban Density zoning would allow up to 14 units per acre. This is complementary and similar intensity to the planned Residential High uses to the west and Commercial General uses to the south. Lastly, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The proposed zoning would allow both townhomes and single family residential development to help diversify the housing supply.

Summary

Zone Changes

Staff can support the proposed nonconforming zone changes for R-2 zoning north of Agate Avenue and RUD zoning south of Agate Avenue. The zoning districts will provide a transition from the Commercial General Uses to the south, Residential High and Residential Low uses to the west, and Public Facility uses to the north. In addition, there is a trend in residential development in the area. The zoning will not result in any unforeseen impacts on infrastructure, and the zoning requests comply to goals and policies in the Comprehensive Master Plan.

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

Planned unit developments shall minimize adverse impacts on surrounding property, encourage in-fill development, and provide consistency with applicable goals and policies. Staff finds that the planned unit development is appropriate as a transition from the commercial uses to the south to the single family residential uses to the north. The project is located on an in-fill site near Blue Diamond Road and Buffalo Drive, and the project is consistent with goals and policies in the Comprehensive Master Plan. For example, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The proposed planned unit

development with townhomes will create a housing alternative for residents; therefore, staff can support the 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

An increased retaining wall height is necessary to develop this site to accommodate the existing slope and drainage patterns. The increased retaining wall to 6 feet where 3 feet is allowed will only occur along the western portion of the site, adjacent to Warbonnet Way. Street landscaping is provided along Warbonnet Way, and there should be no visual impact to the public realm since the pad sites along Warbonnet Way will be lower than the grade of the street; therefore, staff can support the request.

Waivers of Development Standards #2a & #2b

The reduced setback to the drive aisles and the reduced side street setbacks should not create any negative visibility issues, and these reduced setbacks are standard for compact townhome developments.

Waivers of Development Standards #2c & #2d

Although the height/setback ratio is reduced adjacent to a residential lot to the east and adjacent to a residential lot to the south, both residential parcels are planned for Commercial General uses. The parcel to the east is located adjacent to Buffalo Drive, and the parcel to the south could be incorporated into a larger commercial development with access from Blue Diamond Road; therefore, staff can support the request.

Waiver of Development Standards #3

Staff does not anticipate any negative impacts from the 13 percent reduction in parking spaces for the townhome development. Each unit will have either a 1 or 2 car garage, shared parking spaces are provided within the development, and on-street parking will be provided on Warbonnet Way, Agate Avenue, and Miller Lane. However, staff recommends a minimum of 2 pedestrian access points on Warbonnet Way, 3 pedestrian access points to Agate Avenue for the portion of the townhome development west of Miller Lane, and 2 pedestrian access points to Agate Avenue for the portion of the townhome development east of Miller Lane.

Design Reviews #1 & #3

The proposed single family development includes multiple access points to the surrounding public streets, and the development will be integrated into the community. Also, staff does not anticipate any negative impacts from the hammerhead street design since each house will have a 20 foot driveway and 2 car garage. Lastly, larger lots are located **along the northern property line**. As a result, staff can support design review #1 and design review #3.

Design Review #2

Urban Specific Policy 39 encourages higher density residential developments to be arranged in clusters to increase usable open space and recreational facilities. The proposed townhome planned unit development clusters the residences into 3 and 4 plex buildings, which increases the open space around the perimeter of the site and within the centralized 24,901 square foot common lot to west of Miller Lane. Overall, the planned unit development complies with the intent to maximize flexibility in residential development, in part, to help increase usable open space. As a result, staff can support design review #2.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the request to increase the number of dwelling units to access a private drive provided that Fire Prevention approves the request.

Waiver of Development Standards #5

Staff has no objection to the reduction in the street intersection off-sets for between Miller Lane and Private Drive H or Miller Lane Private Drive I. The applicant provided additional common lots adjacent to Private Drive C and Private Drive D, so visibility will be improved for those entering the site.

Waiver of Development Standards #6

Staff has no objection to the reduction in the distance from the driveways to the property lines as this is a typical development pattern with single family attached products.

Waiver of Development Standards #7

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #8

Staff has no objection to allowing an inverted crown on the private streets within the proposed subdivision. Through the technical studies, the applicant must demonstrate that this request will not be detrimental to the subdivision.

Design Review #4

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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

STAFF CONDITIONS:

Public Works - Development Review

- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane south of Agate Avenue, and associated spandrels.

PLANNING COMMISSION ACTION: February 2, 2021 – APPROVED – Vote: Unanimous Current Planning

- Resolution of Intent to complete in 4 years;
- 1 story homes on the north and east property lines with a minimum of 10,000 square foot lots;
- Minimum 5 foot setback for residential units and garages from drive aisles;
- In the townhome development, provide a minimum of 2 pedestrian access points on Warbonnet Way, 3 pedestrian access points to Agate Avenue west of Miller Lane, and 2 pedestrian access points to Agate Avenue east of Miller Lane;
- 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 a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane, and associated spandrels;
- Clark County Fire Prevention of street widths and radii.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0151-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #2A WAS WITHDRAWN WITHOUT PREJUDICE.

TAB/CAC:

APPROVALS: 1 card

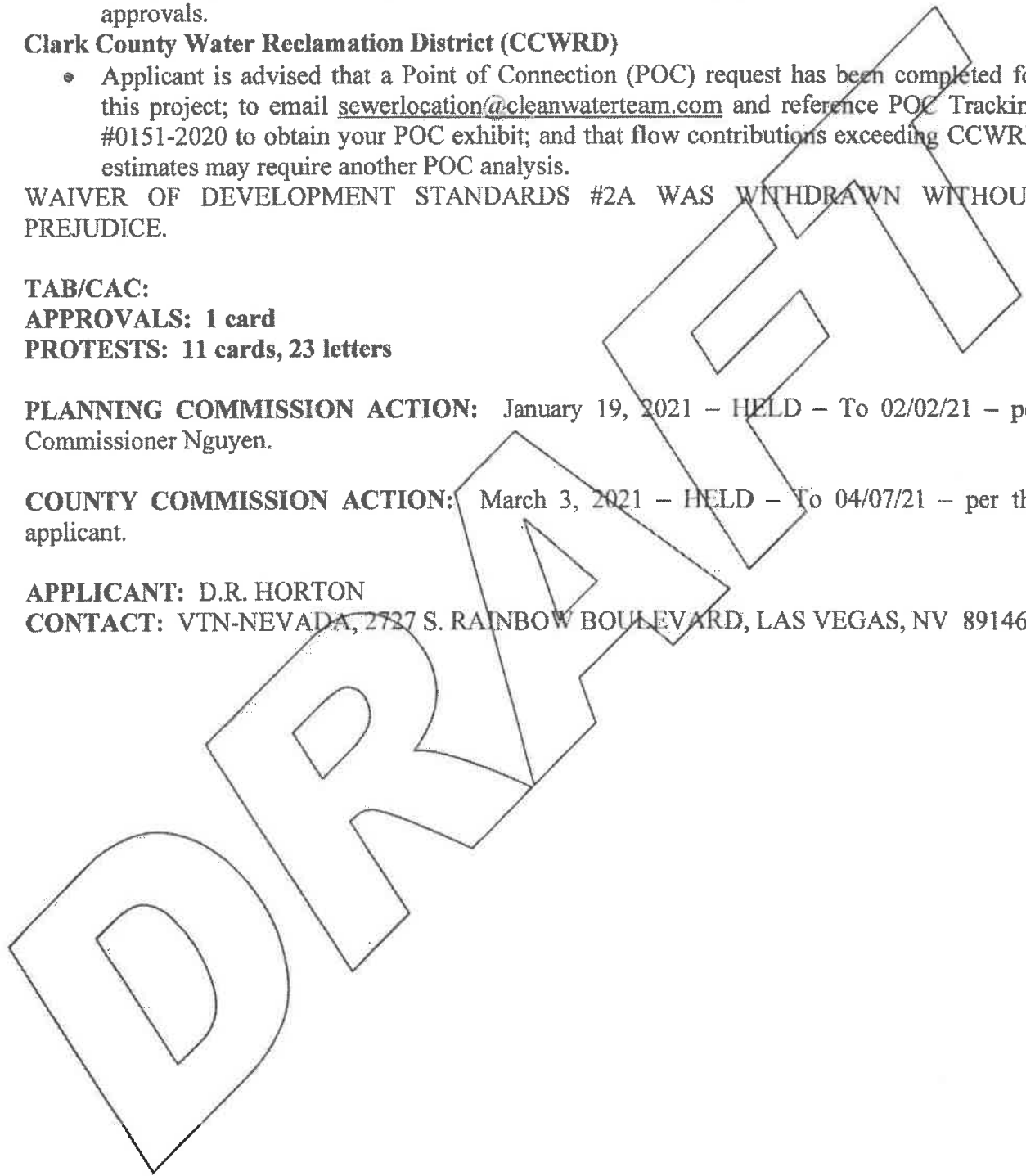
PROTESTS: 11 cards, 23 letters

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 02/02/21 – per Commissioner Nguyen.

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/07/21 – per the applicant.

APPLICANT: D.R. HORTON

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





LAND USE APPLICATION 3A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
 - (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (AR)
- EXTENSION OF TIME (ET)
 - (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
 - (ORIGINAL APPLICATION #)

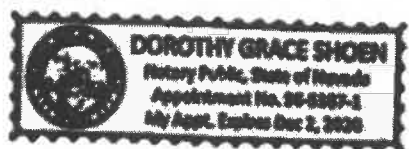
STAFF	DATE FILED: <u>11/23/20</u> PLANNER ASSIGNED: <u>JLT</u> ACCEPTED BY: <u>JLT</u> FEE: <u>4,082.50</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>—</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N PENAL? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: <u>—</u>	APP. NUMBER: <u>NZC-20-0524</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>12/30</u> TIME: <u>6pm</u> PC MEETING DATE: <u>1/19/21</u> BCC MEETING DATE: <u>2/17/21</u> ZONE / AE / RNP: <u>R-2 & RVD/PVD</u> PLANNED LAND USE: <u>ENTRL & CG</u> NOTIFICATION RADIUS: <u>1500</u> <input checked="" type="checkbox"/> M <input type="checkbox"/> N LETTER DUE DATE: <u>—</u> COMMENCE/COMPLETE: <u>—</u>
PROPERTY OWNER	NAME: <u>MAK ZAK, LLC c/o K. Roohan</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV.</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
APPLICANT	NAME: <u>DR HORTON, INC.</u> ADDRESS: <u>1081 WHITNEY RANCH DR, SUITE #141</u> CITY: <u>HENDERSON</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702.635.3800</u> CELL: _____ E-MAIL: <u>jgenovese@drhorton.co</u> REF CONTACT ID #: _____	
CONSPONSOR	NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702)873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 178-21-601-030
 PROPERTY ADDRESS and/or CROSS STREETS: Agate & Warbonnet
 PROJECT DESCRIPTION: Single Family Residential

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

K. Roohan Property Owner (Signature) KHUSROW ROOHANI Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND sworn before me on 4/15/20 DATE
 by Khusrow Roohan
 NOTARY PUBLIC: Dorothy Grace



*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 24, 2020, September 24, 2020, Revised October 15, 2020, Revised October 28, 2020, Revised November 17, 2020

W.O # 8049

NZC 20-0524

CLARK COUNTY
Planning Department
500 Grand Canyon Parkway
Las Vegas, Nevada 89155

Attention: Planning Department

- Subject:
1. Non-Conforming Zoning Change
 2. Special Use Permit/PUD (Planned Unit Development) (Attached Townhomes)(SOUTH)
 3. Design Review
 4. Tentative Maps
 5. Waiver of Development Standards
 6. Vacation of Patent Easements

RE: APN's 176-21-501-030, and 176-21-501-005, 022 and 023 – 17.14 Gross Acres

Planning Department:

On behalf of our client DR Horton, VTN Nevada is requesting the approval of a Non-Conforming Zone Change with RUD/Planned Unit Development, Design Review and Tentative Maps, Vacation of patent easements and Waivers of Development Standards for the above referenced parcels. DR Horton is proposing to develop the subject parcels of land as a 178-Lot residential development with a proposed zoning of R2 and RUD (Residential Urban Density District) / PUD (Planned Unit Development) from R-E (Rural Residential Estates) and C-2 (Commercial General) with land designations of RS (Residential Suburban) and R-H (Residential High) within the Enterprise Land Use planning area, Commissioner Justin Jones's district.

The proposed residential development is located South of Agate Avenue and East and West of Warbonnet Way.

Project Information:

The project consists of a 17.14 +-acre (gross), residential development, located at the southeast corner of Agate Avenue and Warbonnet Way. The site consists of four (4) parcels under different ownership as follows:

1. 176-21-501-030

The site is currently zoned RE (Rural Estates Residential) and is designated as RL (Residential Low) within the Enterprise Land Use Plan area.

2. 176-21-601-005

The site is currently zoned C2 (General Commercial) and is designated as CG (Commercial General) within the Enterprise Land Use Plan area.

3. 176-21-601-022

The site is currently zoned C2 (General Commercial) and is designated as CG (Commercial General) within the Enterprise Land Use Plan area.

4. 176-21-601-023

The site is currently zoned RE (Rural Estates Residential) and is designated as CG (Commercial General) within the Enterprise Land Use Plan area.

The project site is bound by properties with planned land use and zoning as follows:

- South: C2 (Commercial General) and CG (Commercial General)
- West: RE (Rural Estates Residential) and RL (Residential Low) and RH (Residential High)
- North: RE (Rural Estates Residential) and RNP (Rural Neighborhood Preservation) and PF (Public Facility)
- East: RE (Rural Estates Residential) and RNP (Rural Neighborhood Preservation) and CG (Commercial General)

Non Conforming Zoning Change

The applicant is requesting a Non-Conforming Zone Change for the following:

APN: 176-21-501-030 - NORTH

1. Zoning: From RE (Rural Estates Residential) to R-2 (Medium Density Residential District)

APN's: 176-21-601-005, 022 and 023 - SOUTH

2. Zoning: From RE (Rural Estates Residential) and C-2 (Commercial General) to RUD (Residential Urban Density District) / PUD (Planned Unit Development)

The Project

The proposed 178-lot residential subdivision will be constructed on vacant land located north and south of Agate Avenue and east and west of Warbonnet Way.

The plans depict a proposed single-family residential development consisting of 178 residential lots on approximately 17.14 +/- acres for an overall density of 10.38 dwelling units per gross acre. The proposed project consists of 2 different lot sizes and product types, they are as follows:

- | | | |
|--|---|-------------------------|
| 1. Lot Size @ 40' x 80' (3,300 sf. per R2) | = | 78 Lots (44 %) (NORTH) |
| 2. Single-Family Attached / Rowhouses | = | 100 Lots (56 %) (SOUTH) |

NORTH

Product # 1

The proposed single-family detached lot sizes range from 3,300 square feet to 5,783 square feet for an average lot size of 3,705 square feet.

SOUTH

Product # 2

The proposed single-family attached/ rowhouse lot sizes range from 945 square feet to 965 square feet for an average lot size of 955 square feet.

NORTH

The proposed lots have access from the proposed internal street networking consisting of 44-foot private streets, with 39 feet of travel lane, 1 foot of curb and a 5-foot sidewalk on one (1) side of the street on the detached single-family product.

SOUTH

The single family attached product will be served by a 30-foot wide private driveway and 24-foot private alleys providing access to all of the proposed lots.

The development is providing a 6-foot landscaping buffer with attached sidewalks along Agate Avenue, Warbonnet Way and Miller Lane. All buffer areas will be landscaped to current Clark County standards as outlined in the included Conceptual Landscape Plans.

SOUTH

In addition to the exterior landscaping the applicant is providing 36,014 square feet internal opens space with an 7,292+- sf area for residents to utilize as a recreation area located within the rowhouse portion of the development, this is in addition to other opens space throughout the development. This area will be developed landscaping and other undetermined amenities.

NORTH

No opens pace is being provide as a part of the north development.

The subject properties are located at the north and south of Agate Avenue and east of Warbonnet Way. Agate Avenue is currently a 60-foot right of way with limited improvements. Warbonnet Road is currently a 60-foot right of way with limited improvements. Miller Lane to the east is currently a 60-foot right of way with limited improvements. Improvement on all streets are limited to partial asphalt only. The proposed development will be providing full street improvement on all streets along the property frontages. The proposed improvement will include full pavement, curb and gutter, sidewalks and 6-foot landscaping buffer areas with attached 5-foot sidewalks.

The proposed development will be compatible with the existing residential uses and development types.

Land Use Request:

1. Non Conforming Zone Changes

176-21-501-030

NORTH

- a. From RE (Rural Estates Residential) to R2 (Medium Density Residential District).

SOUTH

176-21-601-005, 022 and 023

- b. From RE (Rural Estates Residential) and C2 (Commercial General) to RUD (Residential Urban Density District) / PUD (Planned Unit Development).

The applicant believes that the proposed zone changes will be consistent with the current trends of development and land use designation of RS (Residential Suburban – up to 8 du/ac) and RH (Residential High – from 8 du/ac to 18 du/ac) as designated in the Enterprise Land Use Plan.

The surrounding properties on all 4 sides have the current land use designations:

North: RNP (Rural Neighborhood Preservation) and PF (Public Facility)

South: CG (Commercial General) and RH (Residential High)

East: RNP (Rural Neighborhood Preservation) and CG (Commercial General)

West: RH (Residential High) and RL (Residential Low)

Non-Conforming Zone Changes

Zone Boundary Amendments are non-conforming when the zoning district being requested is outside of the range of densities and intensities permitted in the land use category or when the change being requested is in conflict with the Community District Element. Enterprise has received applications for Non-conforming Zone Changes since the last plan update. These Nonconforming Zone Changes have been the cause of several of the changes to the land use map.

Non-conforming Zone Changes can result in areas developing in unexpected ways from those planned. This often will have a significant impact on public facilities such as schools, police, fire, transit and transportation. These zone changes can be controversial and may lead to dramatic changes in existing neighborhoods.

Title 30 now requires all Non-Conforming Zone Boundary Amendments for the Enterprise Planning Area without an established Development Agreement to be received for accumulative concerns not normally received as a single application, have a pre-application conference, a neighborhood meeting with public hearings at the Planning Commission (PC) and Board of 30 Enterprise Land Use Plan County Commissioners (BCC). In addition a Non-Conforming Zone Boundary Amendment under Title 30 has submittal restrictions for two years after the adoption of a land use plan.

Response

The Enterprise Land Use Plan Designation for the subject site is from RL (Residential Low) and CG (Commercial General) (CG) The request satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30. With RL (Residential Low) and RH (Residential High) to the west, the proposed

development provides a transition of the RNP (Rural Neighborhood Preservation) to the north and the CG (Commercial General) to the south. Further, the Site is located near Blue Diamond Road between Buffalo and Durango Drives, both heavily travelled right of ways. These roads are intended to support high volumes of traffic. Therefore, the overall density and intensity is compatible with the area and the Site is the ideal transitional piece for the area and planned uses. The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. Moreover, the Site will provide recreational amenities which will not burden Clark County recreation facilities. Finally, the Applicant will mitigate any impacts the proposed development may have. Pursuant to the general policies of the new Urban Land Use Policies. Here, the Site is located in an area that is predominately residential homes. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Single-Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

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

There is an abundance of existing residential use in the immediate area, therefore, the nonconforming zone change request from RE and C-2 to R-2 and RUD/PUD is appropriate.

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

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 amendment appropriate; and***

Response

The Enterprise Land Use Plan was last amended in October of 2014. There have been multiple changes the last several years within the southwest sector. Residential and commercial parcels have been developed and now are operating in the southwest portion of the valley. A byproduct of the increased residential and employment opportunities is a sharp increase in housing demand for the area. Based on these recent residential developments in the valley, and the overwhelming demand for additional housing, these trends support the request for the proposed development.

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

Response

With the existing land-use planned properties to the north of the Site planned for public facility, that could be developed with several different alternatives such as parks or schools etc., the proposed development is well position to provide the housing necessary to support the future uses in the area. Similar type densities currently exist to the west and east of the site, with "Novels" development being developed with R-3 densities to the west, and other scattered residential and commercial uses throughout the area the proposed development will be compatible with the surrounding uses and densities in the area.

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

Response

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. All required public facilities are direct adjacent to the site within the public rights of ways alignments. Moreover, the southern parcels will provide recreational amenities which will not burden Clark County recreation facilities. The Applicant will mitigate any impacts the proposed development may have.

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

Response

Pursuant to the general policies of the Land Use Policies, the site is designed to be compatible with adjacent land use and off-site circulation patterns. The Site is located adjacent to future public street alignments including Agate Avenue, Warbonnet Way and Miller Lane. The site will also have quick access to the Blue Diamond Road and Buffalo Drive. Not only is the proposed development compatible with the general policy of the Land Use Policies, but it is also compatible with the more specific residential and meet the criteria for Non-Conforming Zone Changes of the Enterprise Land Use Plan.

2.Special Use Permit / PUD

SOUTH

- a. For a RUD/ PUD for the south portion of the site on 13.58 acres. The applicant is proposing to development the property at a 100-lot single family attached/rowhouses with a density of 13.58 du/ac. The development will be accessed from Miller Lane via a 25-foot private driveway providing service to each home. The homes will face out of the community with lush front yard landscaping and rear loaded garages. Throughout the community, there are internal connected sidewalks so residents can easily and safely traverse the neighborhood to utilize the amenities. Along Miller Lane and Agate, there will be 6 feet of landscaping from the back of curb to the community's decorative block wall.

30.24 – Planned Unit Development

SOUTH

30.24.070 Open Space Requirements

Open space areas that are conveniently located, accessible, and visible (defensible space concepts) for the occupants of the development shall be provided as required and may contain such elements as pools, tennis courts, ball fields, and various buildings or structures intended for recreational use. Modifications to these requirements shall only be permitted in conformance with subsection (c)(2) below.

a. Open space areas that enhance circulation within a site, promote pedestrian use and safety, and improve a site's aesthetic qualities are expected to satisfy the following criteria:

1. Open space should be designed to provide a mix of active and passive activity areas. Small pocket areas should be avoided whenever possible and combined into one (1) aggregate area which includes amenities. While natural areas may be preserved as open space, areas with twelve percent (12%) or greater slopes should not be the only open space provided within a development.

Response

Within the community, there will be lush landscaping and ample amenities for the residents. There is 36,014 square feet of open space being provided where only 25,146 square feet of open space is required. The amenities will include a community park with a sitting area(s).

1. Open space areas should be accessible to all property owners within the development and connected by a comprehensive on-site pedestrian circulation system.

Response

The provide open space will be accessible to all residents of the development.

2. Open space areas, including plazas and courtyards, should be designed, located, and landscaped to take advantage of solar orientation, maximize water conservation measures, and afford summer shade and winter sunshine.

Response

The provided open space will be centrally located within the development. The open space will take advantage of any solar opportunities and utilized all water conservation methods available.

3. Where possible, on-site recreation areas should be linked with any appropriate transportation, bicycle, open space, trails or other similar approved plan. When the property is on a trail designated by an adopted plan, the trail shall be provided and that area developed for the trail may be counted as part of the required open space, even if the trail is dedicated. Similarly, if the identified trail is planned for a natural wash adjacent to or bisecting the development, the area of the wash developed as a trail or with recreational amenities may be counted as part of the open space as well.

Response

The proposed open space will be connected to the adjacent public streets with sidewalk to provide pedestrian access to trail and transportation.

b. Required open space shall consist of connected, contiguous areas that are greater than or equal to 200 square feet with widths no smaller than 10 feet and shall not include the following: required street landscaping; drives or driveways; parking lots or bays and loading areas; and utility or service areas. Perimeter landscaping may not be included in the open space calculations.

Response

The provided open space conform to these requirements. No provide open space is less than the 10-foot minimum and is greater than 200 square feet in size.

c. Open Space Requirements For Residential Development: 1. For all development with ten (10) or more lots or units and all development at six (6) or more units per acre regardless of how many lots or units, open space shall be provided at 1.65% of the project's density per acre multiplied by the project's gross acreage multiplied by 35%. $(.0165) \times (\text{dwelling units per acre}) \times (\text{total acreage}) \times (.35) = \text{required open space (in acres)}$ (For conversion to square footage, multiply the open space acreage by 43,560)

Response

Within the community, there will be lush landscaping and ample amenities for the residents. There is 36,014 square feet of open space being provided where only 25,146 square feet of open space is required.

The calculations are as follows:

$$\begin{aligned} & (.0165) \times (\text{du/ac}) \times (\text{total acreage}) \times (.35) = \text{required open space} \\ & .0165 \times 13.58 \times 7.36 \times .35 = 0.57 \text{ sf.} \\ & 0.57 \times 43,560 = 25,143 \text{ sf.} \end{aligned}$$

b. Architectural Features. 1. The following features shall be required:

A. Window and door fenestration on all sides of units located along the development's perimeter except for side elevations located less than 20 feet from another residential side elevation.

B. Contrasting color schemes used to create visual depth around windows, doors, and building corners.

C. A minimum of one (1) principal window treatment on every elevation (front, side, or rear) that faces any street (public or private) or required open space area that may include, but is not limited to, popouts, decorative wrought iron, wood trim, shutters, plant shelves, and other features or embellishments to vary and soften the visual exteriors.

2. In addition to the requirements of subsection 30.24.080(b)(1) above, a minimum of three (3) of the following design features shall also be required:

A. Enhanced corners (pop-outs), embellishment

B. Deep recessed garages. Printed Chapter 30.24: Planned Unit Development January 7, 2019 30.24 - 7

C. Low roofs (one story roofs). D. Second stories stacked at greater setback than first floor to facilitate a first floor roof feature, especially when located immediately above the garage. E. Offset garage doors. F. Roof overhangs. G. Courtyards (pony walls and/or decorative wrought iron may be used for courtyard enclosures.) H. Enhanced window fenestration on all front elevations and all second story windows facing a street or required open space area, using principal window treatments per 30.24.080(1)(C). I. Deck, Patio Cover, and/or Balcony Option.

I. Deck, Patio Cover, and/or Balcony Option.

Response

The proposed development will conform to the requirements of Title 30.24.080.b

c. Streetscapes.

1. The following features shall be required:

A. Streets in non-rural residential planned unit developments should be designed whenever possible to avoid long, straight expanses of streets which encourage high speed vehicular travel and are not aesthetically appealing. Providing a minimum 25 foot lateral deviation from a straight course for every 350 feet of street length

or other design measures may be used to achieve this goal. Non-rural residential planned unit developments with 51 lots or more are required to meet this standard.

B. Four foot wide sidewalk installed on both sides of the street or a 5 foot wide sidewalk installed on 1 side of the street.

C. A minimum of 2 pedestrian connections to destinations such as a trails system, public facilities, transit stops, or public street network to promote connectivity.

D. Residential units shall maintain a minimum 10 foot setback from any street, drive aisle, sidewalk, or curb. Architectural intrusions per Chapter 30.56 are permitted subject to compliance with sight zone requirements. Reduction to this standard may only be permitted with approval of a waiver of development standards, with the exception of sight zone requirements, which cannot be waived or varied unless otherwise specified in Section 30.52.025. d. Perimeter Landscaping. All perimeter landscaping shall comply with the requirements

Response

The proposed development cannot provide the lateral deviations required by this section. However, the applicant is proposing to provide street humps to alleviate the straight street alignment, in addition to providing, where possible a variation in the front setback to provide a more interesting streetscape. The site plan includes a 4-foot sidewalk along the proposed private street, and a 5-foot sidewalk along the adjacent public streets.

e. Parking.

1. Parking for single-family or two-family residential development shall be provided as follows: Reduction to these standards may only be permitted with approval of a waiver of development standards. (C) below.

A. Two (2) spaces per residence or townhouse, both spaces must be on site unless an alternative is specifically approved per subsection

Response

The proposed development will be providing a 2-car garage and a 20-foot driveway which will accommodate 4 parking spaces for each of the homes for the single-family product. In addition to on-site parking will be allowed on the proposed private streets.

For the attached product there will be 2 parking space for each dwelling unit and an additional 32 parking space for guest, of which 20 is required

B. One (1) additional space shall be provided per every five (5) residential units which may be accommodated off-site, or when functionally feasible, on-street, or within a driveway. If required resident parking spaces are enclosed, an additional 1 space is required per every 5 enclosed spaces.

Response

The proposed development will be providing a 2-car garage and a 20-foot driveway which will accommodate 4 parking spaces for each of the homes for the single-family product. In addition to on-site parking will be allowed on the proposed private streets.

For the attached product there will be 2 parking space for each dwelling unit and an additional 32 parking space for guest, of which 20 is required

30.24.080 Design Standards and Guidelines.

The following design standards and guidelines are intended to achieve the overall purpose of the PUD as defined in 30.24.010. The requirements established in subsections (b) through (e) below shall be shown on the site development plans submitted for consideration with the special use permit. Variance or waiver applications to modify the requirements herein established shall not be accepted unless expressly permitted within the respective section or subsection.

a. Like Transitioning.

1. Transitioning considerations include a range of design features related to existing and proposed development, such as but not limited to height, mass, density, appropriate buffers, architecture, landscaping, loss of privacy, unsightly views, pedestrian and vehicular traffic circulation, parking concerns, and environmental impacts.

2. A proposed PUD shall incorporate height and density transitioning considerations along the development's perimeter to achieve an orderly transition to existing residential development on adjacent properties. Buildings or units proposed to be located along the perimeter of the PUD should stay within a 50 percent (50%) tolerance range of the height and density of residential development that is adjacent to, or across the street from, the PUD's perimeter.

Response

The proposed (PUD) development is adjacent to an existing single-family home directly to the east. The existing home is located in the northeast corner of the parcel. Based on County Assessors map the home is located approximately 150 feet from the common property line, providing an adequate transition between properties. The applicant as a part of the development is proposing 2 structures and parking bay along the eastern property line. In addition, adjacent to the parcel will be providing a landscaping buffer with 24-inch box trees planted 30 feet on center to provide buffering and transitioning between the properties. As the trees mature, the canopy will provide more buffering. If necessary, the applicant is willing to increase the size of trees and plant 20 feet on center. To the south the existing home is closer to the common property line, where the applicant is proposing a similar transitioning plan between properties. The plan calls for a landscaping buffer with 24-inch box trees planted 30 feet on center. If necessary, the applicant is willing to increase the size of trees and plant 20 feet on center. As the trees mature, the canopy will provide more buffering.

3. Design Review

NORTH & SOUTH

- a. To allow for fill greater than 18 inches up to 60 inches.

The request is due to the existing fall of the property from west to east, and the surrounding developed properties. The fill areas are located along the eastern portion of the site to accommodate the exiting drainage currently going through the site. This is due to drainage patterns and perimeter conditions which dictates our grading of the site. These conditions are limited to specific location throughout the development.

- b. The applicant is also requesting approval for the use hammerheads terminating the private streets per Title 30.56.080, for the single family detach product.

The request is for the 2-hammerhead turnarounds located on the detached single family (NORTH).

Title 30.56.080.o

- 1) The number and layout of on-site parking spaces

Response

NORTH

The proposed development will be providing a 2-car garage and a 20-foot driveway which will accommodate 4 parking spaces for each of the homes for the single-family product. In addition to on-site parking will be allowed on the proposed private streets.

SOUTH

For the attached product there will be 2 parking space for each dwelling unit and an additional 32 parking space for guest, of which 20 is required.

2) Driveway length

Response

NORTH

The proposed development will be providing a 20-foot driveway and a 2-car garage which will accommodate 4 parking spaces for each of the homes.

SOUTH

For the attached product the driveway will be 5 feet to deter parking along the driveway.

3) The number of hammerheads

Response

NORTH

The proposed development includes 2 hammerheads, two serving 12 lots and one serving 14 lots for the single-family product.

SOUTH

No hammerheads are proposed for the attached product.

4) Size of lots, and

Response

NORTH

The proposed lot sizes are a minimum and maximum of 3,301 and a maximum 5,783 with an average of 3,705 square feet.

SOUTH

The attached product has lot sizes ranging from 945 square feet to 965 square feet for an average lot size of 955 square feet.

5) Shape and other constraints of the property

Response

NORTH & SOUTH

The shape of the parcel is not a factor in the design or use of the property.

4. Tentative Map

NORTH

1. For a 78-lot residential Subdivision.

SOUTH

2. For a 100-lot residential subdivision.

5. Waivers of Development Standards

NORTH & SOUTH

1. To allow a 11-foot combination retaining/screen wall. A max of 5 feet of retaining wall and 6 feet of screen wall.

NORTH & SOUTH

2. To – the use of speed hump to slow down traffic

SOUTH

3. To reduce the transition area for a PUD from 3:1 height/setback ratio to a minimum of 15 feet per Figure 30.56-10 and Section 30.56.070(b).

SOUTH

4. To allow 8 homes to serviced off the proposed 25 foot "Private Drives"
5. To allow street offset less than the minimum 125 feet at the intersections of Miller Lane and the proposed private drives.
6. To allow driveway to be less than 6 feet from the driveway to the property line..
7. To allow a 15.0 back radius on stub drives.

Section 30.16.100 – Waiver of Development Standards

1. The applicant for a waiver of development standards shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following:

A. The use of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;

Response

The requested waiver will not detrimentally affect the adjacent properties in any way.

B. The proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will not be materially detrimental to the public welfare;

Response

The requested waiver will not adversely affect the surrounding property owners in any way. The waivers are the minimum necessary to development the site.

Waiver # 1 is to allow a combination 5 foot retaining wall and 6-foot screen wall along the western boundary adjacent to Warbonnet Way. This request is due to the existing drainage patterns in the area and the lowering of the site in order to accommodate the proposed development. The units/lots adjacent to Warbonnet Way is set below the exiting street grade necessitating the need for an increase retaining wall from the maximum 3 feet to 5 feet. A 2-foot increase.

Waiver # 2 is to allow the use of speed humps per Section 30.24.080.c.1.A, to avoid long straight expansive streets and providing a minimum of 25 feet of lateral deviation for every 350 feet of street length.

The use of straight street is necessary due to the limited width of the parcel. The speed humps will be used and a deterrent to higher speed that may occur when have longer straight streets.

Waiver # 3 is for the use of a more intense landscaping buffer as opposed to the 3:1 setback ratio per Figure 30.56-10 and Section 30.56.070(b) between uses and adjacent properties to the east and south. The applicant believes the use of more intense landscaping will create a better visual transition as opposed to a greater setback. The existing structure are set closer to the frontage streets and the proposed landscaping will provide a better buffer for the residents.

Waiver # 4 is to allow 8 homes to serviced off the proposed 25 foot "Private Drives" where 6 homes are the maximum allowed. The applicant believes that having 2 additional homes off the private drive will not impact the livability of the development. The private drives are through drives which connect to wider private drives on both sides. It is our position that the maximum 6 unit are more specifically intended for cul-de-sacs, dead-end drives and streets to limit the number of homes being serviced. With the connection to the adjacent drives on both sides the impact of the additional 2 homes will be mitigated to the greatest extent possible.

Waiver # 5 is to allow street offset less than the minimum 125 feet at the intersections of Miller Lane and the proposed private drives. The design of the attached product and the narrowness of the parcel necessitate the need for this waiver. The offsets are very short and vehicles traversing these intersections will be greatly reduced to alleviate the impact of this request. In addition to the limited number of residents that will be utilizing these drives.

Waiver # 6 is to allow driveway to be less than 6 feet from the driveway to the property line for the attached units. The proposed property lines of the attached units are the same as the edge of each unit and the proposed driveways for all units are the same 16 feet in width. The edge of the driveway and the proposed property line will be a maximum and minimum of 2 feet from the property lines. This is due to the types of units proposed and will not detrimentally deter from the livability of the development.

Waiver # 7 is to allow a 15.0 back radius on stub drives. There are 8 locations on our east-west drives where we are proposing to utilize a 15 foot back of curb radius where we are connecting to the north-south drives. This due to the limited area between the main access drive and the stub drives. These areas will only service a maximum of 3 units and will not limit any vehicle movements. The opposite curb radius is the standard 20 feet which provides adequate fire access. The proposed 15-foot curb radius will not adversely impact the traffic movements or limit the livability of the residents.

Waiver # 8 is to allow the use of an inverter street section for the 25-foot private drives. They are three areas where this section will be utilized to provide vehicular access to the units. The applicant believes that the inverted section is necessary to avoid water going into the garages which may be the case when using a crowned section in these areas. The inverted section will channel water to the wider private drive which will convey the water to the appropriate area.

C. The granting of such application shall be in harmony with the general purpose, goals, objectives and standards of the Plan and of this Title, and:

Response

The requested waiver will not adversely affect the surrounding property owners in any way. The waivers are the minimum necessary to development the site and will meet the standards and objectives of the Title 30.

D. The proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities or services

Response

The requested waiver will not create any impact on the surrounding property owners in any way. The waivers are the minimum necessary to development the site.

Vacation Request

The applicant is requesting to vacate 33 feet of patent easements on APN # 176-21-601-005. The applicant as a part of the Non-Conforming Zone Change and Tentative Map is proposing to vacate the patent easement along the southern and eastern property boundaries.

Architectural Plans

NORTH

Single Family Detached

The elevations for the 25-foot product show three (3) two-story single-family detached residential models. Each model has three (3) elevations including covered porches, building pop-outs, etc. All elevations on the plans depict enhanced architectural elements. The floor plans show homes ranging in size from 1,562 to 1,836 square feet (livable area) with options, which may further increase the area of each model. All models will have a 2-car garage (front-loaded).

SOUTH

Single Family Attached / Rowhouses

The elevations for the 20+-foot product show four (4) two-story single-family attached/rowhouse models. Each model has three (3) elevations including covered entrances, building pop-outs, etc. All elevations on the plans depict enhanced architectural elements. The floor plans show homes ranging in size from 1,308 to 1,426 square feet (livable area) with options, which may further increase the area of each model. Each end models will have a 2-car garage (front-loaded) and each interior model will have a one (1) car garage.

NORTH & SOUTH

Utilities

Sanitary Sewer

Sewer service is provided from existing (8) eight-inch sanitary sewer lines located in both Agate Avenue and Warbonnet Road. The applicant is proposing to connect to these lines to provide service to the proposed development.

Water

Existing water service is also located in both Agate Avenue and Warbonnet Road, which consists of an existing 12-inch lines. The applicant is proposing to connect to these lines to provide service to the proposed development.

Storm Drainage

Drainage from the site will be directed through the internal private streets and conveyed to Agate Avenue and will conform to Clark County standards.

Flood Zone

The subject property is not within a flood zone.

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

Sincerely,

Jeffrey Armstrong

Jeffrey Armstrong
Planning Manager

cc: Joe Genovese, DR Horton
Michael Markvan PE, VTN-Nevada

**RIGHT-OF-WAY & EASEMENTS
(TITLE 30)**

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-20-0523-MAK ZAK, LLC:

AMENDED HOLDOVER VACATE AND ABANDON a portion of a right-of-way being Miller Lane located between Raven Avenue and Agate Avenue (alignment) (previously not notified) and easements of interest to Clark County located between Raven Avenue (alignment) (previously notified as Agate Avenue) and Blue Diamond Road, and between Buffalo Drive (previously notified as Miller Lane) and Warbonnet Way (alignment) within Enterprise (description on file). JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-21-501-011, 176-21-501-030 (previously not notified); 176-21-601-005

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 30 foot wide portion of Miller Lane located on 176-21-501-011. The plans also depict the vacation and abandonment of 60 foot wide patent easements located along the Miller Lane alignment located on 176-21-501-030. Lastly, the plans depict the vacation and abandonment of government patent easements on 176-21-601-005. These easements to be vacated are 33 feet wide along the east and south property lines, and 3 feet wide along the north and west property lines. According to the applicant, the right-of-way and easements are no longer necessary, and the vacation and abandonment is necessary for a proposed townhome planned unit development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0001-07	Reclassified the site to C-2 zoning for a grocery store and convenience store	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	Commercial General	C-2	Undeveloped
West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped

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

Related Applications

Application Number	Request
NZC-20-0524	A nonconforming zone change to reclassify the subject site to RUD zoning for a townhome planned unit development and to reclassify 9.8 acres north of Agate Avenue to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-20-500185	A tentative map for a single family subdivision north of Agate Avenue is a companion item on this agenda.
TM-20-500186	A tentative map for a townhome planned unit development south of Agate Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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

STAFF CONDITIONS:

Public Works - Development Review

- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane south of Agate Avenue, and associated spandrels.

PLANNING COMMISSION ACTION: February 2, 2021 – APPROVED – Vote: Unanimous
Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet to 60 feet for Warbonnet Way, 30 feet to 60 feet for Agate Avenue, 60 feet for Miller Lane, and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TAB/CAC:

APPROVALS: 1 card

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 02/02/21 – per Commissioner Nguyen.

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/07/21 – per the applicant.

APPLICANT: D.R. HORTON

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



VACATION APPLICATION 4A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	STAFF	DATE FILED: <u>11/23/20</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>875</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? _____ TRAILS? <u>Y/N</u> <u>PFNA/YN</u>	APP. NUMBER: <u>VS-20-0523</u> TAB/CAC: <u>ENTREPREISE</u> TAB/CAC DATE: <u>12/30</u> TIME: <u>6PM</u> PC MEETING DATE: <u>1/19/21</u> BCC MTG DATE: <u>2/17/21</u> ZONE / AE / RNP: <u>C-2 -> R2D</u> PLANNED LAND USE: <u>ENTCG</u>
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PROPERTY OWNER	NAME: <u>MAK ZAK, LLC.</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>DR Horton, Inc.</u> ADDRESS: <u>1081 Whitney Ranch Drive, Suite #141</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702.635.3600</u> CELL: _____ E-MAIL: <u>Jrgenovese@drhorton.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89146</u> TELEPHONE: <u>(702)873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-21-601-005

PROPERTY ADDRESS and/or CROSS STREETS: AGATE AVENUE & WARBONNET 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.

[Signature]
 Property Owner (Signature)*
 STATE OF NEVADA Clark
 COUNTY OF _____

KHUSROW ROOMANI
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON 4-15-20 (DATE)
 By Khusrow Roomani
 NOTARY PUBLIC: Dorothy Grace Shoen



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

AGATE & WARBONNET EAST COTTAGES NORTH
(TITLE 30)

UPDATE
AGATE AVE/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-20-500185-MAK ZAK, LLC:

AMENDED HOLDOVER TENTATIVE MAP consisting of 76 lots (previously 78) and common lots on 9.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:
176-21-501-030

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.8
- Number of Lots: 76
- Density (du/ac): 7.8
- Minimum/Maximum Lot Size (square feet): 3,300/5,885
- Project Type: Single family subdivision

The plans depict a single family residential subdivision on 9.8 acres on the north side of Agate Avenue. Public Streets will include Agate Avenue, which runs east/west, and Warbonnet Way, which run north/south. These public streets are 60 feet wide with 5 foot wide sidewalks on each side. Private streets that are 44 feet wide with a 5 foot wide sidewalk on 1 side include a private street running east/west, and 2 private streets that extend north of Agate Avenue. **The western north/south private street ends in a hammerhead cul-de-sac design, and the eastern north/south private street ends in a stub street.**

Larger lots, **greater than 5,000** square feet, are located **along the north side** of the site. All the other lots in the subdivision are at least 3,300 square feet.

Landscaping is included on common lots on the side of certain residential lots adjacent to the public streets. In addition, trees are shown in the rear and side yards of residential lots along the perimeter of the subdivision, **per Title 30 standards**, to help provide an additional landscape buffer.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-18-700015	Plan amendment to change the land use category for 20 acres, which included the portion of the site north of Agate Avenue, from RNP to RS; reduced to RL by the Board of County Commissioners	Approved by BCC	March 2019
ZC-1026-05	Reclassified approximately 3,800 parcels, including the subject site, to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Public Facilities	R-E (RNP-I)	Single family residential & undeveloped
South	Residential High (8 du/ac to 18 du/ac) & Commercial General	R-E (RNP-I), R-E, & C-2	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped

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

Related Applications

Application Number	Request
NZC-20-0524	A nonconforming zone change to reclassify the subject site to R-2 zoning for a single family residential subdivision and to reclassify 7.4 acres south of Agate Avenue to RUD zoning for a townhome planned unit development is a companion item on this agenda.
VS-20-0523	A vacation and abandonment of patent easements along Miller Lane is a companion item on this agenda.
TM-20-500186	A tentative map for a townhome planned unit development south of Agate Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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

STAFF CONDITIONS:

Public Works - Development Review

- Right-of-way dedication to include 60 feet for Warbonnet Way, 30 feet for Agate Avenue, and associated spandrels.

PLANNING COMMISSION ACTION: February 2, 2021 – APPROVED – Vote: Unanimous Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Warbonnet Way, 30 feet for Agate Avenue, 60 feet for Miller Lane, 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.

Current Planning Division - Addressing

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0151-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 02/02/21 – per the Commissioner Nguyen.

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/07/21 – per the applicant.

APPLICANT: D.R. HORTON

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

DRAFT



TENTATIVE MAP APPLICATION 5A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>11/23/20</u> PLANNER ASSIGNED: <u>RT</u> ACCEPTED BY: <u>RT</u> FEE: <u>\$750</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>TJ</u> OVERLAY(S)? <u>—</u> TRAILS? Y/N <u> </u> <u>FFNATY/N</u>	APP. NUMBER: <u>TM-20-500185</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTD DATE: <u>12/30</u> TIME: <u>6pm</u> PC MEETING DATE: <u>1/19/21</u> BCC MEETING DATE: <u>2/17/21</u> ZONE / AE / RNP: <u>R-2</u> PLANNED LAND USE: <u>ENTRL</u> NOTES: _____
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PROPERTY OWNER	NAME: <u>MAK ZAK, LLC.</u> ADDRESS: <u>9500 HILLWOOD DRIVE, SUITE 201</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV.</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>DR HORTON, INC.</u> ADDRESS: <u>1061 WHITNEY RANCH DRIVE, SUITE #141</u> CITY: <u>HENDERSON</u> STATE: <u>NV.</u> ZIP: <u>89014</u> TELEPHONE: <u>702.635.3600</u> CELL: _____ E-MAIL: <u>jrgenovese@drhorton.com</u> REF CONTACT ID #: _____
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CONSULTANT	NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702) 873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-21-501-030

PROPERTY ADDRESS and/or CROSS STREETS: Agate & Warbonnet

TENTATIVE MAP NAME: Agate Warbonnet East Cottages

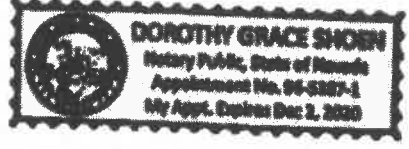
NUMBER OF LOTS: 100 GROSSNET ACREAGE .736 AC GROSSNET DENSITY 13.50 DU/AC.

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

Kit Yohani Property Owner (Signature) KHUSROW ROOHANI Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN before me on 4-15-20 (DATE)
 by Khusrav Roohan
 Notary Public: Dorothy Grace Shoen



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

04/07/21 BCC AGENDA SHEET

AGATE & WARBONNET EAST UD SOUTH
(TITLE 30)

AGATE AVE/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-20-500186-MAK ZAK LLC, ET AL:

AMENDED HOLDOVER TENTATIVE MAP consisting of 99 lots (previously 100) and common lots on 7.4 acres in a RUD (Residential Urban Density) Zone.

Generally located on the south side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:
176-21-601-005; 176-21-601-022 through 176-21-601-023

LAND USE PLAN:
ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 7.4
- Number of Lots: 99
- Density (du/ac): 13.5
- Minimum/Maximum Lot Size (square feet): 945/965
- Project Type: Townhome residential subdivision

The plans depict a townhome development on the south side of Agate Avenue, the east side of Warbonnet Way, and the east and west sides of Miller Lane. Approximately 2.4 acres of the project are located on the east side of Miller Lane, and approximately 5 acres are located on the west side of Miller Lane. Miller Lane provides the only vehicular access to both the east and west sides of the development. Entrance drives are 33 foot wide private drives, and within the townhome development, the private drives are 25 feet wide. Speed humps are provided to slow traffic on the longer sections of the internal private drives.

Townhomes are arranged into 24 separate 4 plex buildings and one, 3 plex building. Eight of the buildings are located on the east side of Miller Lane, and 17 buildings are located on the west side of Miller Lane.

Open space with landscaping is provided on common lots around the perimeter of the project, around the 3 and 4 plex buildings, and on a 24,901 square foot centralized common lot on the west side of the entrance from Miller Lane.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0001-07	Reclassified the western portion of the site to C-2 zoning for a grocery store and convenience store	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-E (RNP-1)	Undeveloped
South	Commercial General	C-2	Single family residential & undeveloped
East	Commercial General	R-E	Single family residential
West	Residential High (8 du/ac to 18 du/ac)	R-E	Undeveloped

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

Related Applications

Application Number	Request
NZC-20-0524	A nonconforming zone change to reclassify the subject site to RUD zoning for a townhome planned unit development and to reclassify 9.8 acres north of Agate Avenue to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
VS-20-0523	A vacation and abandonment of patent easements along Miller Lane is a companion item on this agenda.
TM-20-500185	A tentative map for a single family subdivision north of Agate Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

**Analysis
Current Planning**

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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

PLANNING COMMISSION ACTION: February 2, 2021 – APPROVED – Vote: Unanimous
Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Warbonnet Way, 30 feet for Agate Avenue, 60 feet for Miller Lane, 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.

Current Planning Division - Addressing

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0151-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 02/02/21 – per Commissioner Nguyen.

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/07/21 – per the applicant.

APPLICANT: D.R. HORTON

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

04/20/21 PC AGENDA SHEET

PUBLIC CHARTER SCHOOL
(TITLE 30)

UPDATE
TENAYA WY/AGATE AVE

7

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-20-0284-LH VENTURES, LLC:

HOLDOVER ZONE CHANGE to reclassify a 14.6 acre portion of a 37.5 acre site from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.

DESIGN REVIEWS for the following: 1) a proposed charter school site; and 2) finished grade.

Generally located on the east side of Tenaya Way and the north side of Agate Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:

176-22-501-025 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Agate Avenue, Montessori Road, and Raven Avenue where required per Section 30.52.050.

DESIGN REVIEWS:

1. A proposed charter school site (kindergarten through 12).
2. Increase the finished grade for a school site to 60 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

ENTERPRISE - PUBLIC FACILITIES

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14.6 (portion) of 37.5 acres
- Project Type: Proposed public charter school site
- Number of Stories: 1 & 2
- Building Height (feet): Up to 35
- Square Feet: 116,753 (consisting of 3 building footprints)

- Parking Required/Provided: 416/431

Site Plans

The plans depict 3 school buildings located near the west half of a 14.6 acre site. The 3 buildings consist of an elementary school, a middle/high school, and a gymnasium/auditorium. All of the buildings are orientated toward the western portion of the property with ancillary uses such as a parking lot, sport fields, and play areas located toward the eastern portions of the site. Student drop-off and pick-up areas will be located along the western perimeter of the site and will be accessed from Agate Avenue to the south. The staff and student parking lot is located near the southern and eastern portion of the site, which also has access to Agate Avenue.

Landscaping

Street landscaping consists of a 10 foot wide or greater landscape area along all street frontages. The project also shows a proposed realigned equestrian trail alignment that will run along the unimproved right-of-way of Raven Avenue, then head south behind the street landscaping along Tenaya Way, and finally head west at the intersection of Tenaya Way and Agate Avenue. Landscaping on-site is located throughout the campus. Parking lot landscaping is shown in the teacher and student parking area. Additionally, the plans show a turf sports field near the eastern portion of the site.

Elevations

The elevations depict 3 school buildings at various heights and a substantial amount of roofline variation. The elementary school and middle/high school buildings are 2 stories, while the gymnasium/auditorium is 1 story in height. The structures will range from 18 feet to 35 feet in height. The proposed building materials include stucco concrete panel walls with multiple surface plane variations consisting of walls that are off-set with contrasting color schemes. Accents consist of recessed lines and metal canopy shade structures located at various entrances.

Floor Plans

The plans depict school buildings totaling 171,898 square feet which consist of multiple classrooms, administrative offices, multi-purpose rooms, restrooms, lobbies, corridors, and all other ancillary uses associated with a school site.

Signage

A proposed monument sign is shown along Agate Avenue that is approximately 6 feet by 9 feet for a total of 54 square feet. It will not have internal illumination and the sign will be located at the main entrance into the school site. The materials consist of cultured stone and plaster.

Applicant's Justification

The applicant indicates this is a prime site for a school facility as well as 1 of the few viable sites in the area. Most of the schools in this area are over capacity and a new school will help alleviate overcrowding. The project consists of 2,400 students (kindergarten through 12) and will be a public charter school for the southwest area of unincorporated Clark County. The development will be completed in 4 phases, with Phase 1 (the elementary school and a portion of the middle school and high school) being completed and open for school as early as August 2022. The applicant proposes to construct the adjacent roads to non-urban "rural standards" to

ensure continuity of existing development in the area. Additionally, as part of the school development, the existing equestrian trail is proposed to be realigned as shown on plans. The adjusted alignment has been an ongoing process with the Trails Team, County Management, and the Commissioner's Office.

Prior Land Use Requests

Application Number	Request	Action	Date
AG-20-900314	Received direction to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map	Approved by BCC	July 2020
PA-18-700021	Plan Amendment to the Enterprise Land Use Plan on 52 acres from RNP, PF and CG to RS	Approved by BCC	March 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac), & Public Facilities	R-E (RNP-1)	Mix of developed & undeveloped single family residential
South	Commercial General, Office Professional, & Rural Neighborhood Preservation (up to 2 du/ac)	C-1, H-2, & R-E (RNP-1)	Developed single family residential & undeveloped
East	Commercial General	C-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Mix of developed & undeveloped single family residential

Related Applications

Application Number	Request
AG-20-900314	An agenda item to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map is a companion item on this agenda.
VS-20-0285	A vacation of patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

Staff can support the applicant's request for a conforming zone change to P-F zoning. This location is currently undeveloped and has been planned for future Public Facility uses. Title 30 states that the purpose of the P-F zoning district is to provide for the location and development of sites suitable for necessary public buildings, structures, and uses. The location of the subject site is surrounded by existing residences; therefore, this proposal will serve the student needs of this community as a whole.

Waiver of Development Standards

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

Design Review #1

Staff finds the design and heights of the proposed buildings are appropriate for the area. Specifically, the design of the building elevations, with varied architectural elements, complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages, in part, varying building height, breaking-up the mass of a building, and shifting building placement to provide appropriate transitions between differing building scales and intensities. Adequate setbacks have been provided for the buildings and landscaping is provided along the perimeter of the school. Furthermore, the pick-up and drop-off area is located at the west side of the buildings and will allow on-site queuing and circulation of vehicles and; thus, will not impede traffic on the public streets. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Design Review #2

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

Staff Recommendation

Approval of the zone change and design reviews; denial of waiver of development standards. This item will be forwarded to the Board of County Commissioners' meeting for final action on **May 5, 2021 at 9:00 a.m.**, unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Applicant to pay for the installment of the new equestrian trails alignment;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.**

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements on Tenaya Way;
- Right-of-way dedication to include 35 feet to the back of curb for Tenaya Way, 30 feet for Agate Avenue, 30 feet for Montessori Street, 30 feet for Raven Avenue with a portion of an elbow at the intersection of Raven Avenue and Belcastro Street and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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.

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 #0263-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS: 4 cards

PROTESTS: 4 cards, 23 letters

PLANNING COMMISSION ACTION: August 18, 2020 – HELD – To 09/15/20 – per the applicant.

PLANNING COMMISSION ACTION: September 15, 2020 – HELD – To 10/20/20 – per the applicant.

PLANNING COMMISSION ACTION: October 20, 2020 – HELD – To 11/17/20 – per the applicant.

PLANNING COMMISSION ACTION: November 17, 2020 – HELD – To 01/19/21 – per the applicant.

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 04/20/21 – per the applicant.

APPLICANT: LH VENTURE LLC

CONTACT: JOHN DOPEMAN, ETHOS THREE ARCHITECTURE, 8985 S. EASTERN AVE., #220, LAS VEGAS, NV 89123



LAND USE APPLICATION 7A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> APPLICATION REVIEW (AR)	STAFF	DATE FILED: <u>G-23-20</u> PLANNER ASSIGNED: <u>RS</u> ACCEPTED BY: _____ FEE: <u>\$2,200.00</u> CHECK #: <u>ON-line payment</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? _____ PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>ZC-20-0284</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>7/29/20</u> TIME: <u>6:00pm</u> PC MEETING DATE: <u>8/18/20</u> TIME: <u>7:00pm</u> BCC MEETING DATE: <u>9/2/20</u> TIME: <u>9:00am</u> ZONE / AE / RNP: <u>R-E to A-F</u> PLANNED LAND USE: <u>Ent PE</u> NOTIFICATION RADIUS: <u>1,000'</u> SIGN? <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>LH Ventures LLC</u> ADDRESS: <u>10801 W. Charleston Blvd., Suite 170</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-278-4788</u> CELL: _____ E-MAIL: <u>markdunford@cox.net</u>	
	APPLICANT	NAME: <u>LH Venture LLC</u> ADDRESS: <u>10801 W. Charleston Blvd., Suite 170</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-278-4788</u> CELL: _____ E-MAIL: <u>mdunford@cox.net</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>ethos three ARCHITECTURE - John Lopeman</u> ADDRESS: <u>8985 South Eastern, Suite 220</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-456-1070</u> CELL: <u>702-375-6969</u> E-MAIL: <u>jllopeman@ethosthree.com</u> REF CONTACT ID #: <u>11009102</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-22-501-025

PROPERTY ADDRESS and/or CROSS STREETS: Tenaya Way and West Agate Avenue

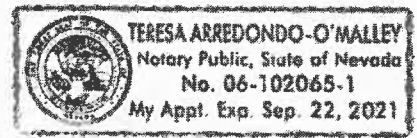
PROJECT DESCRIPTION: K-12 Public Charter School

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

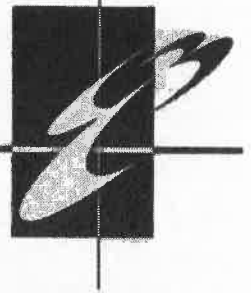
Property Owner (Signature)* [Signature] Property Owner (Print) of Investment Manager Inc., Its Manager

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2020 (DATE)
 By Jeffrey L. Canarilli, Sr. VP
 NOTARY PUBLIC: Teresa Arredondo O'Malley



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



June 22, 2020

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

CIVIL
ENGINEERING

RE: Tenaya & Agate Charter School— APN #176-22-501-025
Zone Change, Design Review and Waiver of Standard

Dear Planning Staff,

On behalf of our Client, LH Ventures LLC, we are requesting approval of a conforming Zone Change, Design Review for a public school, Design Review for grading, and a Waiver of Standard for offsite construction. The project consists of a 2400 Student K-12 Public Charter School, with monument sign, located on 14.8 acres at Tenaya Way and Agate Avenue on a portion of APN #176-22-501-025. The current zoning classification is Rural Estates (R-E), and the planned land use is PF – Schools, Churches, and Public Facilities.

As part of the school development, the existing equestrian trail is proposed to be realigned as shown on submitted drawings. The adjusted alignment has been worked out with the trails team and management, and the County Commissioner has been made aware of this proposal. Clark County will be preparing and processing this application in conjunction with this project.

Zone Change

The current zone designation is R-E. The current planned land use is PF. We propose to change the zone to Public Facility District to more closely reflect the proposed development of the site.

Design Review (School):

Buildings:

The development will be completed in four phases, as outlined below, with Phase 1 being complete and open for school as early as August 2022:

- Phase 1 – Elementary School, and a portion of Middle School and High School. Half of the football/soccer field will be constructed as well as associated parking and other site amenities.
- Phase 2 – Remainder of Middle School and portion of High School. Final half of the football/soccer field will be constructed as well as required additional parking and other site amenities.



- Phase 3 – Remainder of High School & new Gymnasium, and all final on-site improvements.
- Phase 4 - Theater

The school capacity is 2,400 students when all Phases are complete. The school hours are from approximately 7 am to 4 pm weekdays. Occasionally, after school or night time activities may occur. Site access during student drop off and pick up times will be from Agate Avenue with cars entering on the east, circulating around the site in a designated access road until they reach the appropriate loading zone. They will then exit from the southwest side of the property onto Agate.

Monument Sign:

A cultured stone and plaster monument sign, approximately 7'-0" in height, is proposed at the southeast entrance of the site at Agate.

Design Review (Grading)

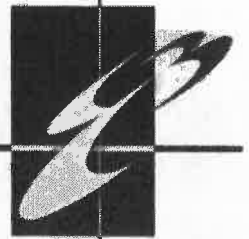
Per Title 30 Section 30.32.040(a)9 the finished grade for the construction of any structure within 100 feet of the property line of a residential use shall not be established in excess of the standard 18 inches above the grade of any lot or parcel adjacent to the structure. Any request to increase the finished grade over 18 inches shall be considered by the Board through a design review as a public hearing. Justification for the proposal shall be provided with the submittal.

We do not propose any buildings within 100-feet of the property line of the adjacent residential uses. We are however, proposing retaining/CMU screen walls and a portion of our perimeter loop road within the 100-foot limit and over the 18-inches allowed. We are therefore requesting to increase/reduce the finished grade, up to five feet above and three feet below, the 18-inches allowed in relation to the existing grade of the adjacent residential lots.

Functionally, the school campus requires a generally flat site between the buildings to allow the shared use of outdoor facilities by all students. We have prepared preliminary grading plans and established finished floor elevations in order to achieve a flatter site. We established grades on the west side of the campus by dropping the finished grade and raised grades on the east end. Additionally, we have stepped the finished floors of the buildings and added small retaining walls and ramps. We have analyzed terracing the site; however, the construction costs were economically unreasonable and the site use became impractical.

Waiver of Standards (Rural Standard Offsite Street Design):

We respectfully request a waiver of standard for full offsite improvements adjacent to the site on Agate Avenue, Montessori Road, and Raven Avenue. We propose to construct these adjacent roads to "Rural Standard" to ensure continuity of existing construction.



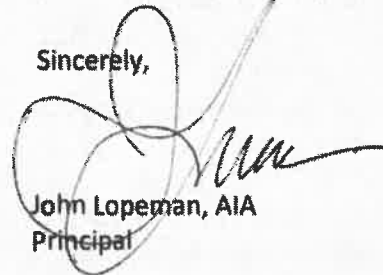
The existing 60-foot wide Minor Residential Collector roadways in this area reflect a 25-foot paved roadway centered on the road centerline with graded dirt drainage swales on each side of the pavement. We would like to maintain this historical rural look on Agate Ave. along the project's southern boundary and on Raven Avenue along the project's northern boundary. Montessori will be constructed to the same standard as it connects Agate and Raven. The project's west edge along Tenaya (80-foot r/w) would be built to full half-street improvements akin to other Major Collector roadway improvement projects in the area.

Summary:

This site is a prime location for an educational facility as well as one of the only viable sites in this area. The schools in this area are over capacity, and a new school will help alleviate current overcrowding. The proximity of the site to residential neighborhoods is an advantage, and the proposed use is compatible with adjacent uses in terms of scale and site design, and does not pose any significant adverse impacts to surrounding properties. Any significant adverse traffic impacts resulting from School generated traffic will be mitigated to the maximum practical extent.

In conclusion, we respectfully request your consideration of the proposed Charter School campus. This project is in harmony with the surrounding area and meets the intent of the Development Code. It will enable this vacant land to develop as a high performing school campus, providing beneficial use for the individuals and families in the Southwest Area of Las Vegas.

Sincerely,



John Lopeman, AIA
Principal

Bonnie Saxon

CIVIL
ENGINEERING
BACK UP
INFORMATION

From: Bonnie Saxon
Sent: Monday, June 08, 2020 11:53 AM
To: 'Robert Kaminski'; 'Jason Allswang'
Cc: John Lopeman; Kip Barton; 'Sami Real'; 'Jennifer Ammerman'; 'Shane Ammerman'
Subject: RE: Doral Academy Tenaya and Agate

Hi Rob,

Wanted to touch basis with you on this project. The current property owner wants us to proceed with charter school entitlements for this site, it just WILL NOT be for DORAL ACADEMY. Once we get everything confirmed with the property owner we will reach out to you to continue the process of submittal.

Thank-you for working with us on this.

From: Bonnie Saxon
Sent: Tuesday, June 02, 2020 7:33 AM
To: Robert Kaminski <rok@ClarkCountyNV.gov>; Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>
Cc: Clayton Howell <clayton@xlcharterdevelopment.com>; John Lopeman <jclopeman@ethosthree.com>; Kip Barton <kbarton@ethosthree.com>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Shane Ammerman <sla@ClarkCountyNV.gov>
Subject: RE: Doral Academy Tenaya and Agate

Good Morning Rob,

I was just informed this project MIGHT be back on for a school. We will keep you posted and should have definitive response sometime this week.

BONNIE SAXON



ethos three
ARCHITECTURE

8985 South Eastern, Suite 220, Las Vegas, NV 89123
P 702.456.1070
C 702.575.7922

From: Robert Kaminski <rok@ClarkCountyNV.gov>
Sent: Monday, June 01, 2020 5:28 PM
To: Bonnie Saxon <bsaxon@ethosthree.com>; Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>
Cc: Clayton Howell <clayton@xlcharterdevelopment.com>; Aarthi Sowrirajan <asowrirajan@turnerimpact.com>; John Lopeman <jclopeman@ethosthree.com>; Kip Barton <kbarton@ethosthree.com>; Robert Kaminski <rok@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Shane Ammerman <sla@ClarkCountyNV.gov>
Subject: RE: Doral Academy Tenaya and Agate

All,

Now that comments from Planning and Public Works have been satisfied, you can submit hard copies for final submittal. Since Heritage Surveying already submitted their vacation file, I will just replace the latest revised exhibits and legals from the original package and wait for the land use package to be dropped off before creating numbers.

Thanks,
Rob

From: JaWaan Dodson <jawaan@ClarkCountyNV.gov>
Sent: Thursday, May 7, 2020 4:49 PM
To: Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>; Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jllopeman@ethosthree.com>; bsaxon@ethosthree.com <bsaxon@ethosthree.com>; Craig Givant <cgivant@hsnvi.com>
Cc: Antonio Papazian <papazian@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams <stevew@ClarkCountyNV.gov>
Subject: RE: Doral Academy Tenaya and Agate

Good afternoon,

Please revise the site plan to show an 25 foot radius at the intersection of Tenaya Way/Agate Avenue and a 20 foot radius at the intersection of Montessouri Street/Agate Avenue.

Please wait to hear from Planning for approval and directions to submit the application.

Please include a copy of this email chain with your submittal.

Thank you

JaWaan Dodson
Clark County Public Works
Development Review- 1st Floor
500 Grand Central Parkway
Las Vegas, Nevada 89155
(702)455-6387

From: Jason Allswang
Sent: Thursday, May 7, 2020 2:21 PM
To: Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jllopeman@ethosthree.com>; bsaxon@ethosthree.com <bsaxon@ethosthree.com>; Craig Givant <cgivant@hsnvi.com>
Cc: JaWaan Dodson <jawaan@ClarkCountyNV.gov>; Antonio Papazian <papazian@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams

Hello Bonnie,

Sorry to hear that, and thanks for looking into this.

Take care,
Rob

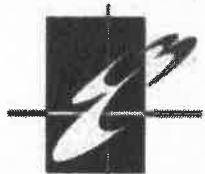
From: Bonnie Saxon [<mailto:bsaxon@ethosthree.com>]
Sent: Monday, June 01, 2020 5:03 PM
To: Robert Kaminski <rok@ClarkCountyNV.gov>; Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>
Cc: Clayton Howell <clayton@xlcharterdevelopment.com>; Aarthi Sowrirajan <asowrirajan@turnerimpact.com>; John Lopeman <jllopeman@ethosthree.com>; Kip Barton <kbarton@ethosthree.com>
Subject: RE: Doral Academy Tenaya and Agate

Hello Rob,

We heard from our Client today that the current economic conditions have made this project unfeasible at this time and we will not proceed further with the entitlement services.

We thank-you for your time and effort in assisting us.

BONNIE SAXON



ethos|three
ARCHITECTURE

8985 South Eastern, Suite 220, Las Vegas, NV 89123
P 702.456.1070
C 702.575.7922

From: Robert Kaminski <rok@ClarkCountyNV.gov>
Sent: Wednesday, May 27, 2020 5:21 PM
To: Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jllopeman@ethosthree.com>; Bonnie Saxon <bsaxon@ethosthree.com>; Craig Givant <cgivant@hsnvi.com>
Cc: Robert Kaminski <rok@ClarkCountyNV.gov>
Subject: RE: Doral Academy Tenaya and Agate

All,

I'm clearing out old emails and came across this one. Can someone tell me if this project is still going forward.

From: Robert Kaminski
Sent: Friday, May 08, 2020 9:54 AM
To: JaWaan Dodson <jawaan@ClarkCountyNV.gov>; Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>; Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jllopeman@ethosthree.com>; bsaxon@ethosthree.com; Craig Givant <cgivant@hsnvi.com>
Cc: Antonio Papazian <papazian@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams <stevew@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>
Subject: Re: Doral Academy Tenaya and Agate

<steview@ClarkCountyNV.gov>

Subject: Re: Doral Academy Tenaya and Agate

Hi Margo and the rest of the Doral development team.

JaWaan will take a look at both submittals today if he can fit it into his queue. I will also do my best to review later today.

We'll get back to everyone as soon as we can.

Thank you

Sent from Outlook Mobile

From: Margo Gagliano <mgagliano@hsnvi.com>

Sent: Thursday, May 7, 2020, 13:28

To: Jason Allswang; Kip Barton; John Lopeman; bsaxon@ethosthree.com; Craig Givant

Cc: JaWaan Dodson; Antonio Papazian; Robert Kaminski; Sami Real; Jennifer Ammerman; Joel McCulloch; Steve Williams

Subject: RE: Doral Academy Tenaya and Agate

Please see the attached.

We have addressed the site plan and L&E's per the vacation comments below, please let me know if you would like the original copies dropped off.

Thank you,

Margo Gagliano
Mapping Coordinator
Heritage Surveying Nevada Inc.
1895 Village Center Circle
Las Vegas, Nevada 89134
(702) 212-4016- Office
(702) 812-0115 - Cell
mgagliano@hsnvi.com

From: Jason Allswang [<mailto:Jason.Allswang@ClarkCountyNV.gov>]

Sent: Wednesday, May 06, 2020 3:51 PM

To: Kip Barton; John Lopeman; bsaxon@ethosthree.com; Craig Givant; Margo Gagliano

Cc: JaWaan Dodson; Antonio Papazian; Robert Kaminski; Sami Real; Jennifer Ammerman; Joel McCulloch; Steve Williams

Subject: FW: Doral Academy Tenaya and Agate

Good afternoon

Please see my comments below for the use permit, waiver, and design review:

- If the driveways are intended to be one way only then they should be reduced in size. For one way driveways, the minimum width is 12 feet. You can do more than that but if it is too wide then it will

- create traffic problems. Since there will be 3 choices a driver can make at the entrance driveway, there is a high probability that vehicles will stack into the right-of-way.
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- Provide the distance from the PT/PC at the Montessouri/Agate intersection to the PT/PC at the eastern driveway. The minimum requirement is 190 feet.
- Label the back of curb radius at the Tenaya/Agate intersection.
- Sight visibility zones must be drawn per USD 201.2 and be shown on all driveways and street corners.
- As a reminder, we will not be able to support your request for non-urban street standards.

Please see my comment below for the vacation:

- Please amend the legal and exhibit for the Belcastro/Raven intersection to just vacate the area without excepting out the elbow. We want to make sure you vacate what you need and don't wind up missing something so if you square it off then you'll be good and Steve Williams and his team will work with you to make sure everything is good to go when they get the dedication documents from you. We'll need a new legal, exhibit, and overall exhibit showing this change.

Please submit revised plans and responses by replying to all on this email. Depending on your responses, we may have additional comments for you.

Thank you

As Clark County is taking precautions against the spread of the Coronavirus, Public Works - Development Review will be on a limited work schedule.

My schedule is as follows:

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I will be in the office on Monday 5/4, Tuesday 5/5, and Wednesday 5/6.

I will be out of the office on Thursday 5/7 and Friday 5/8.

For the week of May 11:

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I will be out of the office on Thursday 5/14 and Friday 5/15.

If you need assistance with land use application reviews while I am out, please email Ja'Waan Dodson at jawaan@clarkcountynv.gov. Please make sure to copy me on any email you send to Ja'Waan.

Additionally, you can reach our division at our main number – (702) 455-4600.

Thank you and stay safe.

Jason Allswang
Senior Plan Checker
Land Use Application Team
702-455-4631
jason.allswang@ClarkCountyNV.gov

Public Works – Development Review
500 S Grand Central Pkwy

Box 551799

Las Vegas, NV 89155-1799

<http://www.clarkcountynv.gov/public-works/Pages/default.aspx>

From: Kip Barton [<mailto:kbarton@ethosthree.com>]

Sent: Thursday, April 30, 2020 4:04 PM

To: Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>

Cc: Bonnie Saxon <bsaxon@ethosthree.com>; John Lopeman <iclopeman@ethosthree.com>

Subject: FW: Doral Academy Tenaya and Agate

Jason,

Along with verifying that the throat depth issue is resolved in your mind please also check the curb cut widths and curb cut distance from Tenaya which were also redline comments on our submittal that we have revised and or responded to on the site plan drawing.

From: Kip Barton

Sent: Thursday, April 23, 2020 3:03 PM

To: 'Jason Allswang' <Jason.Allswang@ClarkCountyNV.gov>

Cc: Bonnie Saxon <bsaxon@ethosthree.com>

Subject: Doral Academy Tenaya and Agate

Jason,

Please review the throat depths on Agate on this site plan. We talked about having an ingress drive with 150' to any parking and an egress drive without this requirement as no on-street queuing will occur. There still seems to be a question in the minds of the planners so I just wanted to get you to verify by email that this is acceptable to public works without a waiver of standards. Thank you.

KIP BARTON



ethos|three
ARCHITECTURE

8985 South Eastern, Suite 220, Las Vegas, NV 89123

P 702.456.1070 : F 702.456.7020

Bonnie Saxon

CIVIL
ENGINEERING

From: Robert Kaminski <rok@ClarkCountyNV.gov>
Sent: Wednesday, May 13, 2020 2:37 PM
To: Kip Barton; John Lopeman; Bonnie Saxon
Cc: Robert Kaminski
Subject: RE: Doral Academy Tenaya and Agate

BACK UP
INFORMATION

Bonnie/Kip,

Based on my email (below), I forgot to tell you that a transmittal sheet should also be provided per my attention when the hard copies are dropped off. Additionally, after this is drop off please get in contact with the Trails Team in order to inform them about the submittal and to see if they need you to do anything else before the amendment to trails alignment is started. Again, they will process an Agenda Item (AG) that will go concurrent with the ZC and VS.

Thanks,
Rob

From: Robert Kaminski
Sent: Friday, May 08, 2020 9:54 AM
To: JaWaan Dodson <jawaan@ClarkCountyNV.gov>; Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>; Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jclopeman@ethosthree.com>; bsaxon@ethosthree.com; Craig Givant <cgivant@hsnvi.com>
Cc: Antonio Papazian <papazian@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams <stevew@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>
Subject: Re: Doral Academy Tenaya and Agate

All,

Now that comments from Planning and Public Works have been satisfied, you can submit hard copies for final submittal. Since Heritage Surveying already submitted their vacation file, I will just replace the latest revised exhibits and legals from the original package and wait for the land use package to be dropped off before creating numbers.

Thanks,
Rob

From: JaWaan Dodson <jawaan@ClarkCountyNV.gov>
Sent: Thursday, May 7, 2020 4:49 PM
To: Jason Allswang <Jason.Allswang@ClarkCountyNV.gov>; Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jclopeman@ethosthree.com>; bsaxon@ethosthree.com <bsaxon@ethosthree.com>; Craig Givant <cgivant@hsnvi.com>
Cc: Antonio Papazian <papazian@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams <stevew@ClarkCountyNV.gov>
Subject: RE: Doral Academy Tenaya and Agate

Good afternoon,

Please revise the site plan to show an 25 foot radius at the intersection of Tenaya Way/Agate Avenue and a 20 foot radius at the intersection of Montessouri Street/Agate Avenue.

Please wait to hear from Planning for approval and directions to submit the application.

Please include a copy of this email chain with your submittal.

Thank you

JaWaan Dodson
Clark County Public Works
Development Review- 1st Floor
500 Grand Central Parkway
Las Vegas, Nevada 89155
(702)455-6387

From: Jason Allswang
Sent: Thursday, May 7, 2020 2:21 PM
To: Margo Gagliano <mgagliano@hsnvi.com>; Kip Barton <kbarton@ethosthree.com>; John Lopeman <jllopeman@ethosthree.com>; bsaxon@ethosthree.com; Craig Givant <cgivant@hsnvi.com>
Cc: JaWaan Dodson <jawaan@ClarkCountyNV.gov>; Antonio Papazian <papazian@ClarkCountyNV.gov>; Robert Kaminski <rok@ClarkCountyNV.gov>; Sami Real <Sami.Real@ClarkCountyNV.gov>; Jennifer Ammerman <jad@ClarkCountyNV.gov>; Joel McCulloch <jmccullo@ClarkCountyNV.gov>; Steve Williams <stevew@ClarkCountyNV.gov>
Subject: Re: Doral Academy Tenaya and Agate

Hi Margo and the rest of the Doral development team.

JaWaan will take a look at both submittals today if he can fit it into his queue. I will also do my best to review later today.

We'll get back to everyone as soon as we can.

Thank you

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KIP BARTON



ethos|three
ARCHITECTURE

8985 South Eastern, Suite 220, Las Vegas, NV 89123
P 702.456.1070 : F 702.456.7020

APN: 176-22-501-025
April 29, 2020
By: Craig A. Givant, P.L.S.

Proposed Rezoning Parcel

Explanation

This legal description describes a portion of that certain parcel of land described in a Patent from the United States of America and issued Patent Number 27-2017-0043. Said Patent was recorded September 11, 2017 in Book 20170911 as Instrument Number 0001091, Official Records of Clark County, Nevada. It is being provided solely in support of an application for rezoning and should not be used to convey property or for any other purposes not consistent with Nevada Revised Statutes.

Legal Description

A portion of that certain parcel of land conveyed to private ownership under the above referenced Government Patent and situated in Section 22, Township 22 South, Range 60 East, M.D.M., Clark County, Nevada, more particularly described as follows:

COMMENCING at the southwest corner of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 22; thence North 03°07'17" East along the west line thereof, 56.89 feet; thence departing said west line, South 86°52'43" East, 35.00 feet to the **POINT OF BEGINNING**; thence along a line parallel with and offset 35.00 feet easterly from said west line, North 03°07'17" East, 518.92 feet; thence along a line parallel with and offset 30.00 feet southerly from the north line of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 22, North 87°41'47" East, 1144.55 feet to the beginning of a tangent curve concave southwesterly and having a radius of 20.00 feet; thence southeasterly and to the right along said curve, through a central angle of 93°57'01", an arc distance of 32.79 feet; thence along a line parallel with and offset 30.00 feet westerly from the east line of said South Half (S 1/2), South 01°38'48" West, 483.44 feet to the beginning of a tangent curve concave northwesterly and having a radius of 20.00 feet; thence southwesterly and to the right along said curve, through a central angle of 85°12'31", an arc distance of 29.74 feet; thence along a line parallel with and offset 30.00 feet northerly from the south line of said South Half (S 1/2), South 86°51'19" West, 1135.54 feet to the beginning of a tangent curve concave northeasterly and having a radius of 20.00 feet; thence northwesterly and to the right along said curve, through a central angle of 96°15'59", an arc distance of 33.60 feet; thence North 86°52'43" West, 5.00 feet to the **POINT OF BEGINNING**.

Contains 14.28 acres, more or less.

BASIS OF BEARINGS

The bearings within this legal description are based upon the North American Datum of 1983 (NAD 83), Nevada State Plane East Zone (2701) and were derived by GPS vectors measured between found monuments and Continuously Operating Reference Station (CORS) "NVBM". A line from said CORS station to a found Brass Cap at the North Quarter Corner of said Section 22 (Intersection of Tenaya & Pebble) bears North 53°39'15" West.

End of description.

Craig A. Givant, P.L.S.
Professional Land Surveyor
Nevada License No. 14348



4/29/20

ASSESSOR'S PARCELS - CLARK COUNTY, NV.

Briana Johnson - Assessor

- PARCEL BOUNDARY
- SUB BOUNDARY
- PAVED BOUNDARY
- ROAD EASEMENT
- RIGHT-OF-WAY PCL
- SUB-SURFACE PCL
- CONDOMINIUM UNIT
- AIR SPACE PCL
- RIGHT OF WAY PCL
- SUB-SURFACE PCL
- 001 ROAD PARCEL NUMBER
- 001 PARCEL NUMBER
- 100 ACRES
- 202 PARCEL SUBSED NUMBER
- PE 24-45 PLAY RECORDING NUMBER
- 5 BLOCK NUMBER
- 6 LOT NUMBER
- 04.5 COV. LOT NUMBER

NOTES

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data generated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more updated legal information.

USE THIS SCALE FOR DISTANCE MEASUREMENT FROM THIS ORIGINAL

0 100 200 300 400 500

MAP LEGEND

TZ2S R60E

164	163	162
175	176	177
193	192	191

Scale: 1" = 200'

22

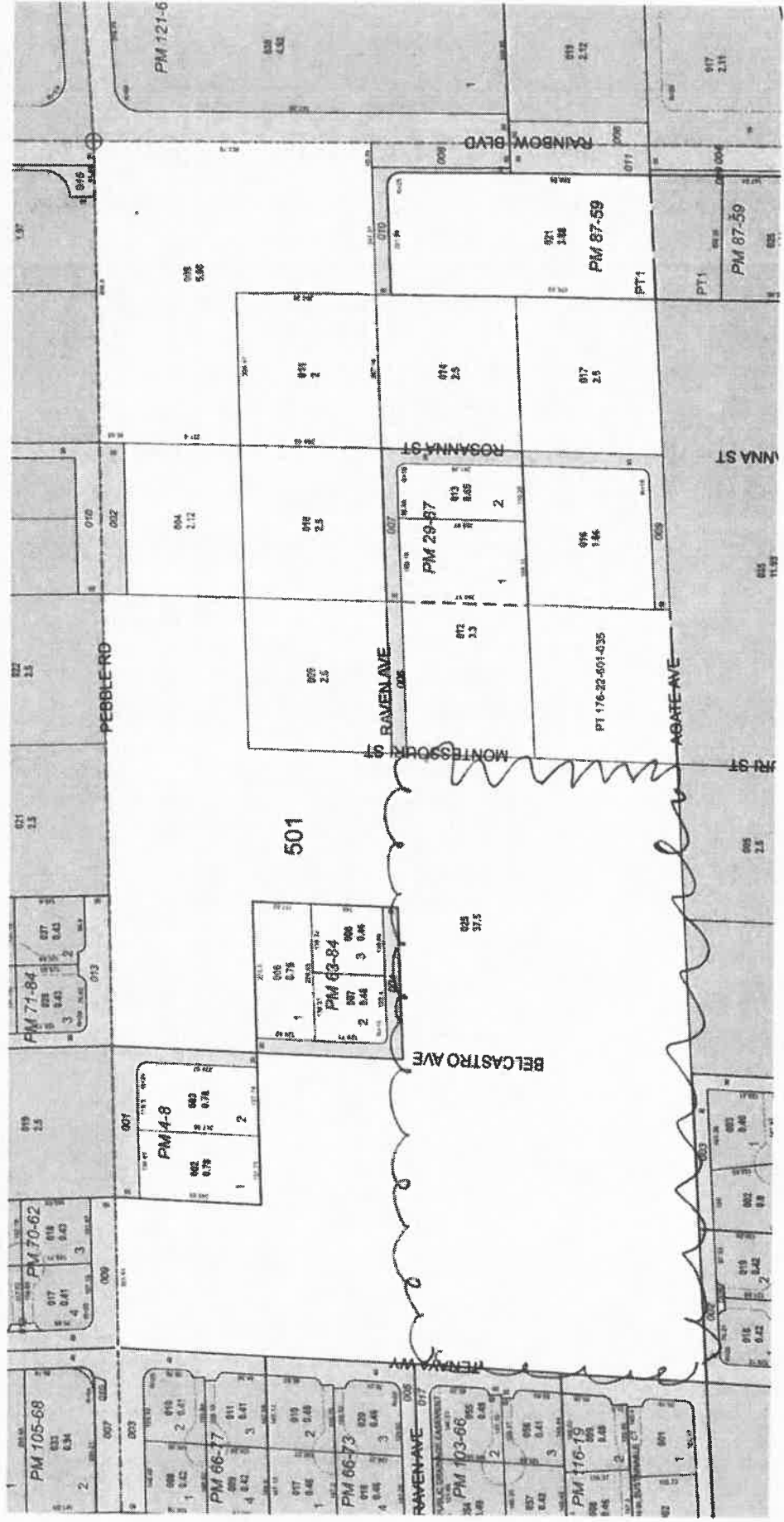
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
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Rev. 1/6/2019

N 2 NE 4

6	4	8	4
5	1	5	1
4	2	6	2
7	3	7	3
8	4	8	4
5	1	5	1

176-22-5



TAX DIST 635

CIVIL ENGINEERING

EASEMENTS
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-20-0285-LH VENTURES, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Tenaya Way and Montessouri Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:
176-22-501-025

LAND USE PLAN:
ENTERPRISE - PUBLIC FACILITIES

BACKGROUND:

Project Description

The plans show the vacation and abandonment of patent easements and BLM grants ranging in width from 5 feet to 30 feet wide. These easements are located along the Belcastro Avenue (alignment) and on portions of the perimeter of the development, excepting out dedication for public right-of-way. The 14 foot wide easements were reserved for the purpose of an equestrian trail which currently runs from Pebble Road on the north, then heads south along the Belcastro Street (alignment) to Agate Avenue and eventually heading west. The applicant wishes to vacate the current trail alignment and redirect it to the west on Raven Avenue, south down Tenaya Way, then eventually heading west at the intersection of Agate Avenue and Tenaya Way. Additionally, the plans show the vacation and abandonment of a 5 foot wide BLM grant on the east side of Tenaya Way to accommodate a detached sidewalk in conjunction with the school development.

Prior Land Use Requests

Application Number	Request	Action	Date
AG-20-900314	Received direction to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map	Approved by BCC	July 2020
PA-18-700021	Plan Amendment to the Enterprise Land Use Plan on 52 acres from RNP, PF and CG to RS	Approved by BCC	March 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac), & Public Facilities	R-E (RNP-I)	Mix of developed & undeveloped single family residential
South	Commercial General, Office Professional, & Rural Neighborhood Preservation (up to 2 du/ac)	C-1, H-2, & R-E (RNP-I)	Developed single family residential & undeveloped
East	Commercial General	C-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Mix of developed & undeveloped single family residential

Related Applications

Application Number	Request
AG-20-900314	An agenda item to consider an amendment to the trail alignment along Belcastro Street between Pebble Road and Agate Avenue as part of the Clark County Trails Map is a companion item on this agenda.
ZC-20-0284	A zone change to reclassify 14.6 acres to a P-F zoning for a proposed charter school site 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 Bureau of Land Management (BLM) right-of-way grants that are not necessary for site, drainage, or roadway development.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for

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

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb for Tenaya Way, 30 feet for Agate Avenue, 30 feet for Montessori Street, 30 feet for Raven Avenue with a portion of an elbow at the intersection of Raven Avenue and Belcastro Street 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.

Clark County Water Reclamation District (CCWRD)

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-0285-20; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TAB/CAC:

APPROVALS: 2 cards

PROTESTS: 3 cards, 1 letter

PLANNING COMMISSION ACTION: August 18, 2020 – HELD – To 09/15/20 – per the applicant.

PLANNING COMMISSION ACTION: September 15, 2020 – HELD – To 10/20/20 – per the applicant.

PLANNING COMMISSION ACTION: October 20, 2020 – HELD – To 11/17/20 – per the applicant.

PLANNING COMMISSION ACTION: November 17, 2020 – HELD – To 01/19/21 – per the applicant.

PLANNING COMMISSION ACTION: January 19, 2021 – HELD – To 04/20/21 – per the applicant.

APPLICANT: LH VENTURE, LLC

CONTACT: MARGO GAGLIANO, HERITAGE SURVEYING NV, 1895 VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134

DRAFT



VACATION APPLICATION 8A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>6-23-20</u> PLANNER ASSIGNED: <u>RK</u> ACCEPTED BY: _____ FEE: <u>\$875.00</u> CHECK #: <u>00-1000</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>—</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>VS-20-0285</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7/2/20</u> TIME: <u>6:00pm</u> PC MEETING DATE: <u>8/19/20</u> TIME: <u>7:00pm</u> BCC MTG DATE: <u>9/2/20</u> TIME: <u>9:00am</u> ZONE / AE / RNP: <u>P-F</u> PLANNED LAND USE: <u>Ent PF</u>
---	--------------	--	---

PROPERTY OWNER	NAME: <u>LH Ventures LLC</u> ADDRESS: <u>10801 W. Charleston Blvd., Suite 170</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-278-4788</u> CELL: _____ E-MAIL: <u>mdunford@cox.net</u>
-----------------------	--

APPLICANT	NAME: <u>LH Ventures LLC</u> ADDRESS: <u>10801 W. Charleston Blvd., Suite 170</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-278-4788</u> CELL: _____ E-MAIL: <u>mdunford@cox.net</u> REF CONTACT ID #: _____
------------------	---

CORRESPONDENT	NAME: <u>Heritage Surveying Nv Inc., - Margo Gagliano</u> ADDRESS: <u>1895 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-212-4016</u> CELL: <u>702-812-0115</u> E-MAIL: <u>mgagliano@hsnvi.com</u> REF CONTACT ID #: <u>200163</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-22-501-025

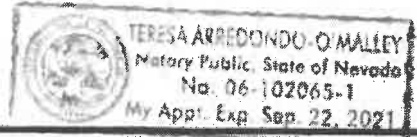
PROPERTY ADDRESS and/or CROSS STREETS: Tenaya Way and West Agate Avenue - Belcastro St. and Tenaya Way
Tenaya Way from Raven St. to Agate

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.

Jeffrey L. Canarelli
 Property Owner (Signature)*

Jeffrey L. Canarelli, Senior VP
 Property Owner (Print)
 of Investment Manager, Inc., its Manager

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2020 (DATE)
 By Jeffrey L. Canarelli, Senior VP
 NOTARY PUBLIC: *Teresa Arredondo-O'Malley*



*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.

Heritage Surveying Nevada Inc.

1895 Village Center Circle

Las Vegas, Nevada

702-212-4016

Justification Letter

To: Clark County Public Works/ Right of Way
From: Craig A. Givant, PLS
Heritage Surveying Nevada
Date: June 18, 2020
Subject: Justification Letter for Vacation of Various Patent Easements within APN 176-22-501-025

To whom it may concern:

Heritage Surveying Nevada has prepared this letter to serve as a justification for the request to vacate various existing 30-foot patent easements and 14-foot wide trail easements which were reserved in favor of Clark County within the Patent from the United States of America. The existence and location of these easements will currently impact proposed development as more particularly described below.

Trail Easements

These easements were reserved for the purpose of Equestrian Trails and their related facilities. The current plan for this trail shows it running from Pebble Road on the North, southerly along the Belcastro Street alignment to Agate Avenue and then westerly along the Agate alignment to Tenaya Way. The developer wishes to vacate the trail easement along the Belcastro alignment between Raven Avenue and Agate Avenue as this corridor will be entirely developed with no possible route for equestrian traffic. The developer has offered to mitigate this concern by re-aligning the trail and taking it westerly along the Raven alignment to Tenaya Way and then southerly along Tenaya Way to its current termination. They have further offered as part of this mitigation to dedicate any required easements for this new alignment over land they currently own directly abutting the Raven alignment from Belcastro to Tenaya. For this reason, it is our opinion this request is justified.

Roadway Reservations

In conjunction with this project, the developer further wishes to vacate the future Raven Roadway Alignment between Belcastro and Tenaya as well as the Belcastro roadway alignment between Raven and Agate. They have offered to install an elbow at the intersection of Belcastro and Agate to route southbound Belcastro traffic easterly along Raven and westbound Raven traffic northerly along Belcastro. Belcastro currently connects Agate to Blue Diamond and is a 60' ROW. If the Belcastro alignment was improved between Agate and Raven, there would be a link between Pebble (80' ROW) and Blue Diamond allowing traffic a shortcut through an RNP neighborhood. By vacating Belcastro between Agate and Raven, the link would currently be circuitous and undesirable, forcing traffic around the RNP neighborhood. The request is also being made to increase pedestrian safety wherein the vacation will allow for a continuous site so that pedestrians would not have to regularly cross Belcastro to get from one side of the property to the other. In the future, when the Tenaya (80' ROW) intersects Blue Diamond,

Heritage Surveying Nevada Inc.

1895 Village Center Circle

Las Vegas, Nevada

702-212-4016

traffic will utilize Tenaya between Blue Diamond and Pebble. Based on the developers willingness to mitigate these concerns as well as any that may arise during plan review, as well as the safety and wellbeing of pedestrians, we feel this request is justified.

Lastly as part of this development the developer wishes to install detached sidewalks along the east side of the Tenaya Way alignment (west side of the development). As Clark County mandates any landscaping along Public Right-of-way be maintained by the property owner, they desire to place said landscaping outside the right-of-way. In order to comply with this desire a 5-foot section of right-of-way needs to be vacated. We feel this is justified as it is being performed at the request of the County itself.

Thank you for your consideration. If there are any questions or comments, please feel free to contact me at using the information below.

Respectfully,



Craig A. Givant
Heritage Surveying Nevada Inc.
1895 Village Center Circle
Las Vegas, Nevada 89134
(702) 212-4016- Office
cgivant@hsnvi.com

ENTERPRISE TOWN ADVISORY BOARD

ZONING / SUBDIVISIONS / LAND USE

9

AGENDA ITEM

PETITIONER:	Nancy A. Amundsen, Director, Department of Comprehensive Planning
RECOMMENDATION:	AG-20-900314: The Enterprise Town Advisory Board conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and after considering the request, forward a recommendation to the Planning Commission. (For possible action)

FISCAL IMPACT:

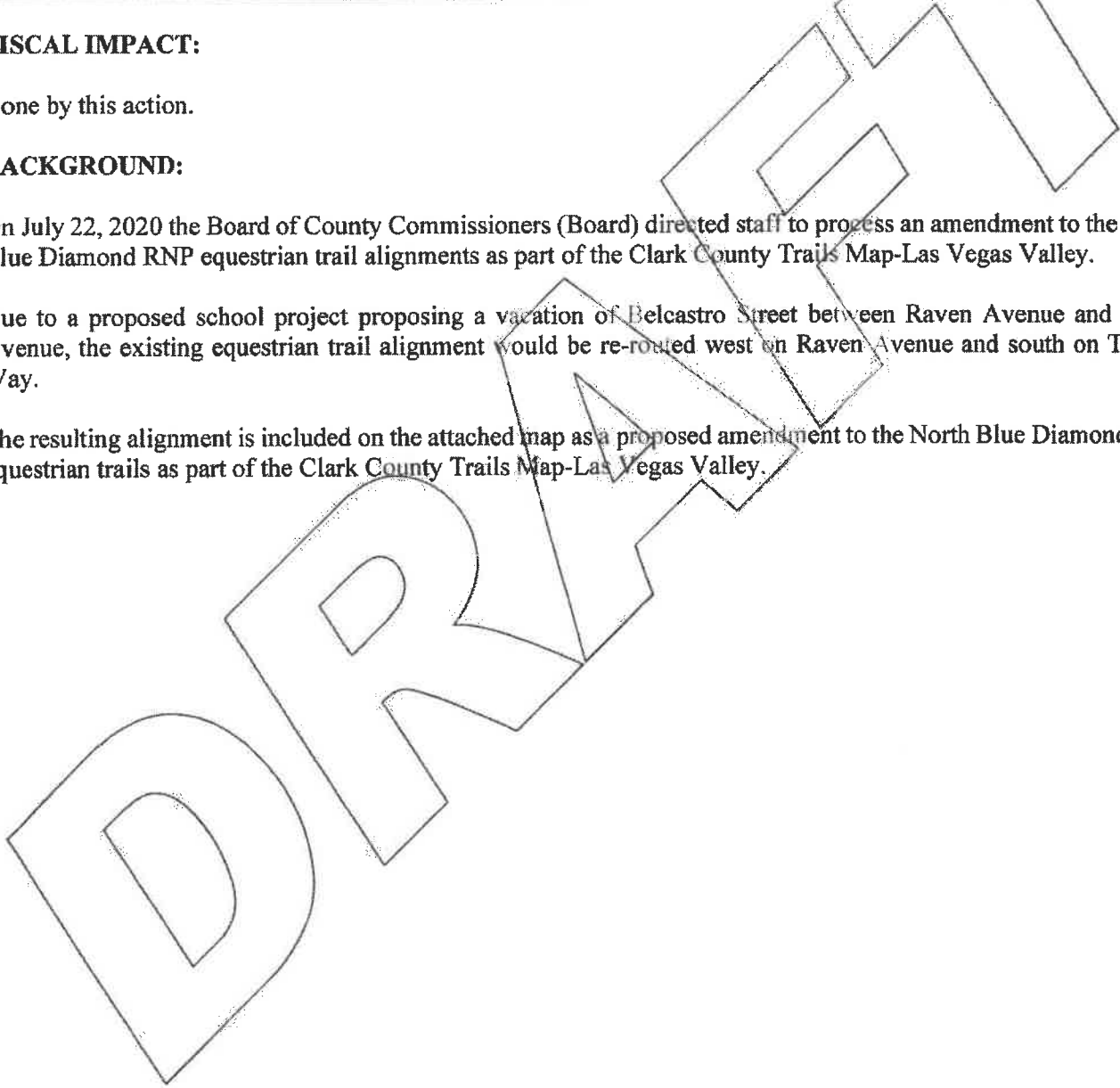
None by this action.

BACKGROUND:

On July 22, 2020 the Board of County Commissioners (Board) directed staff to process an amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley.

Due to a proposed school project proposing a vacation of Belcastro Street between Raven Avenue and Agate Avenue, the existing equestrian trail alignment would be re-routed west on Raven Avenue and south on Tenaya Way.

The resulting alignment is included on the attached map as a proposed amendment to the North Blue Diamond RNP equestrian trails as part of the Clark County Trails Map-Las Vegas Valley.

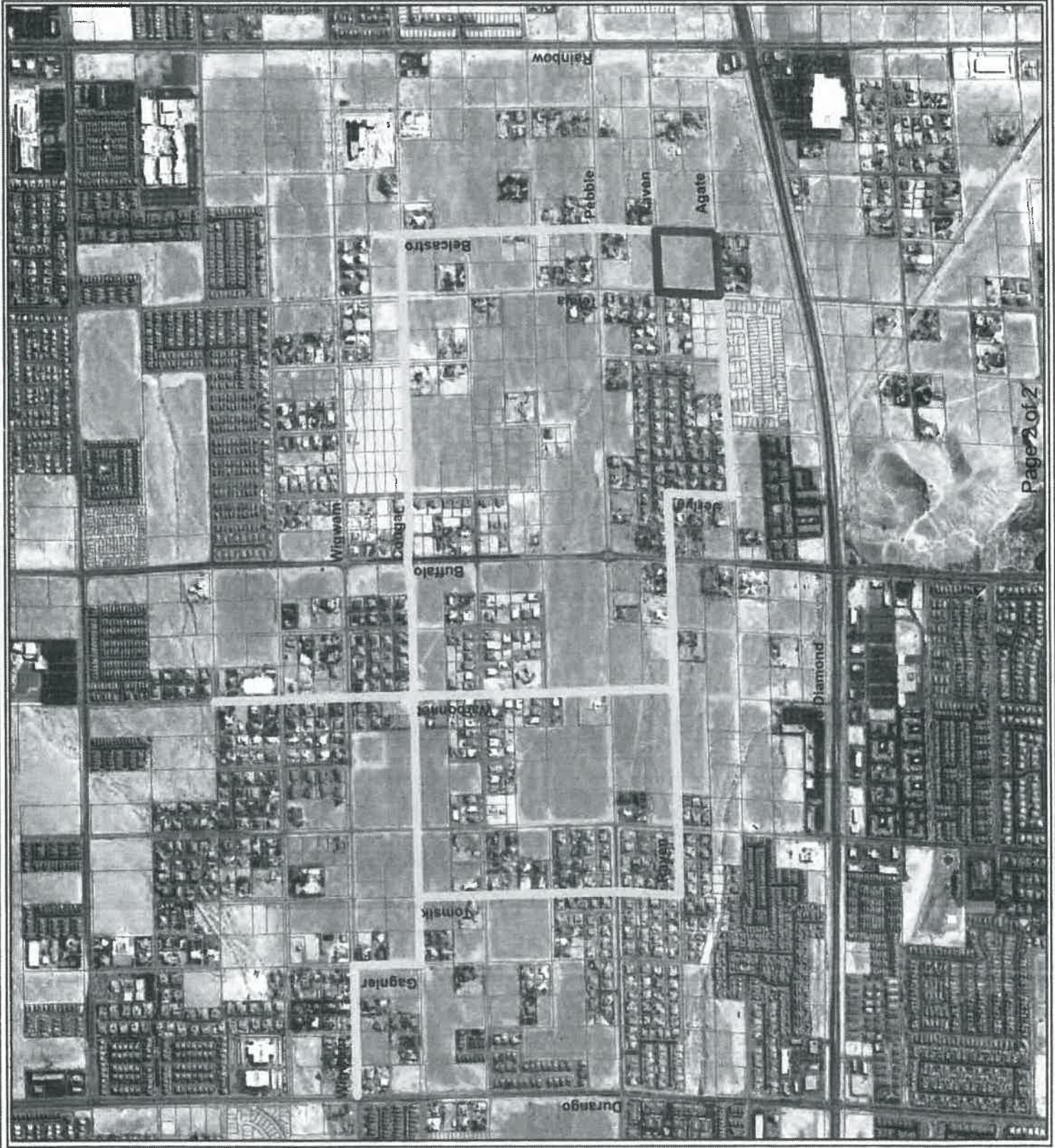


Cleared For Agenda
03/31/2021

Comprehensive Planning Equestrian Trail Amendment N. Blue Diamond RNP Area

DRAFT

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



Map Created On: July 22, 2020

This information is for display purposes only.
No liability is assumed as to the accuracy or the date definitized herein.



04/20/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

STARR AVE/PLACID ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0088-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

ZONE CHANGE to reclassify 4.6 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

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

Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise (description on file). MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

191-04-501-004; 191-04-501-013

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 42 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 133% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC) & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.6
- Number of Lots: 25
- Density (du/ac): 5.5
- Minimum/Maximum Lot Size (square feet): 4,180 (gross & net)/10,068 (gross & net)
- Project Type: Single family residential development
- Number of Stories: 1 to 2
- Building Height (feet): 19.5 (1 story models)/25.5 (2 story models)
- Square Feet: 2,111 to 2,531 (1 story models)/1,813 to 2,662 (2 story models)

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 4.6 acres from R-E zoning to an R-2 zoning district to allow a single family residential development. The applicant conducted a neighborhood meeting on December 3, 2020, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. One neighbor attended the meeting and recommended the residences adjacent to Doobie Avenue be single story with a minimum area of 2,500 square feet.

Site Plans

The plans depict a single family residential development consisting of 25 lots on 4.6 acres at a density of 5.5 dwelling units per gross acre. The minimum and maximum lot sizes are 4,180 square feet and 10,068 square feet, respectively. The primary ingress and egress to the proposed development is via Sonny Miller Court, a proposed public street connecting to Starr Avenue. Sonny Miller Court terminates in a cul-de-sac bulb located adjacent to Lot 10 through Lot 13. A 5 foot wide sidewalk is proposed along both sides of Sonny Miller Court. Doobie Avenue, an existing public street, provides access to Lot 23 through Lot 25 that range between 9,623 square feet to 10,068 square feet. A 5 foot wide detached sidewalk is proposed along Starr Avenue and 5 foot wide attached sidewalks are proposed along Placid Street and Doobie Avenue. An increase in finished grade, up to a maximum of 42 inches, is proposed between Lot 19 through Lot 21. No waivers of development standards are requested with this application.

Landscaping

The plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, located adjacent to Starr Avenue. Large and medium trees are planted 30 feet on center along Starr Avenue in conjunction with shrubs and groundcover. Large evergreen trees are planted 30 feet on center along the west boundary line of the project site, in addition to a 6 foot high decorative wall, per Code requirements. A 6 foot wide landscape area is provided behind a proposed 5 foot wide attached sidewalk adjacent to Placid Street. Per Code, a 12 foot high wall (6 foot retaining wall and 6 foot screen wall) is permitted if the aforementioned street landscaping requirement is met. The maximum wall height along Placid Street, behind the landscape area, is 11 feet (5 foot retaining wall and 6 foot screen wall). The street landscape area features large and medium trees in conjunction with shrubs and groundcover.

Elevations

The plans depict 12 different elevations (3 for each model) with a maximum height up to 19 feet. The proposed single story models consist of a stucco exterior with a pitched, concrete tile roof, and depict different options on the elevations such as recessed windows, shutters, window trims, and stone veneer.

The plans depict 15 different elevations (3 for each model) with a maximum height up to 25.5 feet. The proposed 2 story models consist of a stucco exterior with a pitched, concrete tile roof, and depict different options on the elevations such as recessed windows, shutters, window trims, and stone veneer.

Floor Plans

The plans depict 4 different single story model homes ranging in size from 2,111 square feet to 2,531 square feet depending on the options selected by the home buyer. The models have options for multiple bedrooms, kitchen, family room, and owner's suite. The models feature 3 car garages, with options for a side loaded garage or a recreational vehicle garage.

The plans depict 5 different 2 story model homes ranging in size from 1,813 square feet to 2,662 square feet depending on the options selected by the home buyer. The models have options for multiple bedrooms, kitchen, family room, and owner's suite, with 2 car garages.

Applicant's Justification

The applicant is requesting a design review to increase the finished grade up to a maximum of 42 inches, between Lot 19 through Lot 21, due to topographical issues with the site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-1	Undeveloped (approved for single family residential)
South	Residential Low (up to 3.5 du/ac)	R-D	Single family residential
East	Public Facilities	R-F	Steve Schorr Elementary School
West	Residential Low (up to 3.5 du/ac)	R-E	Single family residential & undeveloped

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

Related Applications

Application Number	Request
TM-21-500023	A tentative map request for 25 single family residential lots in an R-2 zone is a companion item on this agenda.
VS-21-0089	A vacation and abandonment of government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant states the Enterprise Land Use Plan was last updated in 2014, many properties to the west, south, and north of Starr Avenue (from Las Vegas Boulevard South to the site) have had the land use changed since the adoption of the last land use plan and have been rezoned and subdivided to R-2 and R-1 zoned lots, making the request to rezone to a similar residential density compatible. It is our belief the proposed development is appropriate and compatible for the majority of adjacent developed areas are constructed as single family residential subdivisions.

Immediately to the north of the proposed subdivision, across Starr Avenue, is a previously approved R-1 single family residential subdivision with a planned land use of Residential Low. To the east of the project site is an existing elementary school zoned P-F with a planned land use of Public Facilities. To the south of the subject property, across Doobie Avenue, is an existing single family residential development zoned R-D with a planned land use of Residential Low. To the southwest of the project site, is a second existing single family residential development zoned R-E with a planned land use of Residential Low. To the west of the proposed development are 5 R-E zoned lots, 4 of which are developed with single family residences. The trend in the surrounding area is for low density single family residential development. The proposed zone change is not consistent and compatible with the existing residential development and is not appropriate for this location.

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

According to the applicant, the proposed single family detached development is planned to be built-out at a density approximately 5 units per acre. The proposed development will include 5 acres of land, the 2.5 acres (APN 191-04-501-004) north of the property being requested for this nonconforming zone change will be combined for a proposed subdivision of 25 lots and overall density of approximately 5 units per gross acre. The existing residential land uses in the area are a mix between Residential Medium, Residential Suburban, and Residential Low. A middle school exists to the east of the property, making the area a transitional area from low to medium residential uses with a public school. The proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

Immediately to the north of the proposed subdivision, across Starr Avenue, is a previously approved R-1 single family residential subdivision with a density of 5 dwelling units per acre and a planned land use of Residential Low. To the east of the project site is an existing elementary school zoned P-F with a planned land use of Public Facilities. To the south of the subject property, across Doobie Avenue, is an existing single family residential development zoned R-D with a density of 2.3 dwelling units per acre and a planned land use of Residential Low. To the southwest of the project site, is a second existing single family residential

development zoned R-E with a density of 2 dwelling units per acre and a planned land use of Residential Low. To the west of the proposed development are 5 R-E zoned lots, 4 of which are developed with single family residences.

Three lots that are proposed with this development, adjacent to Doobie Avenue, range between 9,623 square feet to 10,068 square feet. While these lots serve as a buffer and transition from the developed R-D and R-E lots to the south, staff finds the request for R-2 zoning is out of character with the development in the surrounding area. The adjacent properties to the west and the abutting properties to the south, have a planned land use of Residential Low and are intended for low density residential development. Staff is concerned with the potential incompatibility between the range of lot sizes and densities with the proposed R-2 zoned site and the surrounding R-E and R-D zoning districts. Therefore, staff finds the proposed project is not compatible with the density of the existing and planned land uses in the surrounding area.

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

The applicant states the request is to rezone the site to R-2 from a master planned density of 3.5 units per acre. This results in approximately 4 additional single family home lots on APN 191-04-501-005 from the approved master plan. The increase in traffic generated by the additional 4 lots is nominal to the overall traffic in the area and will not have an adverse effect on the existing roads. The existing utilities and emergency services are also adequate enough to handle the increase in residences. Technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process. Impacts to the schools, parks, fire and police are part of the RISE report and included in this submittal. The site is being proposed to be built as a small residential community with up to 25 homes; therefore, the additional 4 homes will have minimal impact and not create an adverse effect on the existing public infrastructure.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this development would generate 4 additional elementary school students, 2 middle school students, and 3 high school students. Liberty High School and Webb Middle School would serve this development and are currently over capacity by 528 and 22 students, respectively. Schorr Elementary School is currently under capacity and can accommodate additional students.

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

Per the applicant, the Enterprise Land Use Plan Goal 4 states, "Provide opportunities for additional single family and encourage appropriate site planning and architectural design." The proposed development satisfies this goal by providing single family homes with appropriate site planning and architectural design that is compatible to the surrounding existing residential developments.

The density of 5.5 dwelling units per acre, as proposed for the project site, does not comply with Urban Specific Policy 4 of the Comprehensive Master Plan to preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area. To the north of the project site, across Starr Avenue, is a previously approved R-1 single family residential development at 5 dwelling units per acre. However, Starr Avenue is designated as an arterial street (section line) on the Comprehensive Master Plan Transportation Element and provides a buffer between the future R-1 development and the developed and undeveloped R-E zoned parcels. Although the north half of the project site is designated with a Residential Suburban planned land use, the south half of the project site has a planned land use of Residential Low. The proposed R-2 zoning and density is not compatible with the adjacent and abutting R-E and R-D zoning districts and densities. Furthermore, Urban Specific Policy 8 of the Comprehensive Master Plan discourages nonconforming zone changes. Therefore, the request does not conform to the policies in the Comprehensive Master Plan for development in this area.

Summary

Zone Change

Staff finds that there has not been a change in law, policies, trends, or facts within the Enterprise Planning Area that have changed the character or condition of the area, or the circumstances surrounding the property to make this request appropriate. The density and intensity of the proposed residential development are not compatible with the existing and planned land uses in the surrounding area. There has been no indication that the project will have a substantial adverse effect on public facilities and services. The project does not conform to applicable goals and policies of the Comprehensive Master Plan. Therefore, staff finds that the applicant has not provided a Compelling Justification for the proposed zone change and cannot support this request.

Design Review #1

The design of the elevations and floor plans meet Urban Specific Policy 43 of the Comprehensive Master Plan by providing a variety of elevations with articulating building facades. Furthermore, Urban Specific Policy 41 encourages buffering between single family areas and higher density residential and commercial designations. Large evergreen trees, planted 30 feet on center, are proposed along the western boundary of the residential development, providing a buffer between the proposed R-2 and existing R-E zoning districts. However, since staff finds the proposed zoning district and density is not compatible with the adjacent and abutting land uses, staff cannot support the design review.

Public Works - Development Review

Design Review #2

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

Department of Aviation

The property lies just outside the AE-60 (60 - 65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the airport 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 19, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Starr Avenue, 30 feet for Placid Street, and associated spandrel;
- Coordinate with Public Works - Design Division for the Starr Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Starr Avenue improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, and that approval of this application will not prevent Public Works

from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is advised 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 homes purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0084-2021 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ROSALINDA MEADOR-APARICIO

CONTACT: SHANNON COOPER, TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118



LAND USE APPLICATION

10A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

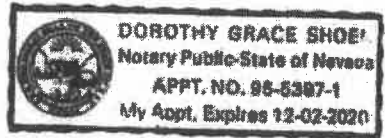
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>Nzc-21-0088</u> DATE FILED: <u>2/24/21</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>3/21/21 @ 6:00</u> PC MEETING DATE: <u>4/20/21 @ 7:00 P.M.</u> <u>R-ETOP-2</u> BCC MEETING DATE: <u>5/19/21 @ 9:00 A.M.</u> FEE: <u>\$2,302.00</u>
	PROPERTY OWNER NAME: <u>Roohani Khusrow Family Trust and Roohani Khusrow TRS</u> ADDRESS: <u>9500 Hillwood Drive #201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-249-0777</u> CELL: _____ E-MAIL: <u>sevenvalleysrealty@yahoo.com</u>
	APPLICANT NAME: <u>Scott Swapp</u> ADDRESS: <u>1980 Festival Plaza, Ste. 500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-853-7501</u> CELL: _____ E-MAIL: <u>sswapp@taylor-morrison.com</u> REF CONTACT ID #: _____
	CONSPONSOR NAME: <u>Taney Engineering / Shannon Cooper</u> ADDRESS: <u>6030 South Jones Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>shannonc@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-04-501-004, -013
 PROPERTY ADDRESS and/or CROSS STREETS: Starr Ave and Placid Street
 PROJECT DESCRIPTION: Single Family Residential Subdivision (RE - R2)

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

[Signature] Khusrow Roohani
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 9-16-20 (DATE)
 By Khusrow Roohani Trustee
 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.



TANEY ENGINEERING

6030 SOUTH JONES BLVD.
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

January 28, 2021

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

RE: STARR & PLACID - Justification Letter for Design Review (APN 191-04-501-004, -013)

To Whom It May Concern:

Taney Engineering, on behalf of our client Taylor Morrison, formerly William Lyon Homes, is respectfully submitting the enclosed application for a Design Review application on our proposed residential project located at Starr & Placid St.

Project Description/Design Review (Excess Fill):

The project consists of a single family detached residential subdivision consisting of 25 lots (with 2 common lots) on 5.0 acres with a density of 5.0 dwelling units per acre. The site is currently zoned R-E, Rural Estates Residential, and is in the process of a Non-Conforming Zone Change to reclassify 2.5 acres to R-2, Medium Density Residential. A Neighborhood Meeting was held on December 3, 2020 for the non-conforming zone change, under APR-20-100791. Summary of the neighborhood meeting is attached below, as page 2 of 2. The plans depict 3 lots taking access from Doobie Avenue, which is along the south boundary of the site. The remaining 22 lots are located on a public cul-de-sac that intersects with Starr Avenue, which is located along the north boundary of the site. The public cul-de-sac has a 48-foot width, with a 38-foot-wide back of curb to back of curb dimension with 5-foot-wide sidewalks located along both sides of the street. The lots along the south boundary of the site are a minimum of 10,000 square feet (net). The houses will consist of one to two story homes (height of two-story homes will not exceed 25.5 ft.) varying in size from approximately 1,813 to 2,662 sqft for the two-story homes and 2,111 to 2,531 for single stories. The plans depict 3-bedroom units with 2 different floor plans, the first floor of every unit will contain a 2 or 3 car garage, depending on the floor plan.

We are requesting a design review to increase the finished grade of lots to 42 inches (3.5 feet) above existing lots where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 130% increase).

We will also be retaining behind the three lots on Doobie Ave up to 5' 6" and along Placid Street up 5'.

If you need any further information, please let us know.

Sincerely,

Edward F. Taney, P.E.
President
Taney Engineering

PLANNER
COPY



TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

Neighborhood Meeting Summary

PLACID & STARR

December 3, 2020

The required neighborhood meeting was held on Dec 3, 2020 as a Virtual ToGo Meeting at 6:00 p.m. Liaison to Commissioner Steve Sisolak, Tiffany Hesser attended, along with the engineer Robert Cunningham, & Cesar Fernandez with Taylor Morrison. We also had Shannon Cooper, & Rosalinda Meador-Aparicio join from Taney Engineering. One neighbor attended, Adam Thurgood. Adam expressed how he would like the houses facing Doobie to be 1 story homes with 2500sqft or greater. He also expressed how he would like additional offsites on Doobie, with lighting and more street appeal.

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6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

November 5, 2020

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

Re: Placid & Dooble (APN 191-04-501-013): Non-conforming Zone Change

Compelling Justification:

The following are responses to the requirements for the compelling justification as identified in Title 30.08:

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

Response:

The Enterprise land use plan was last updated in 2014, many properties to the west, south, and north of Starr (from Las Vegas Blvd to the site) have had the land use changed since the adoption of the last land use plan and have been rezoned and subdivided to R-2 and R-1 zoned lots, making the request to rezone to a similar residential density compatible. It is our belief the proposed development is appropriate and compatible for the majority of adjacent developed areas are constructed as single family residential subdivisions.

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

Response:

The proposed single family detached development is planned to be built out at a density approximately 5 units per acre. The proposed development will include 5 acres of land, the 2.5 acres (APN 191-04-501-004) north of the property being requested for this non-conforming zone change will be combined for a proposed subdivision of 25 lots and overall density of approx. 5 units per gross acre. The existing residential land uses in the area are a mix between Residential Medium, Residential Suburban, and Residential Low. A middle school exists to the east of the property, making the area a transitional area from low to medium



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LAS VEGAS, NV 89118

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residential uses with a public school. The proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

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

Response:

The site is being re-zoned to R2 from a master planned density of 3.5 units per acre. This results in approximately 4 additional single family home lots on APN 191-04-501-005 from the approved master plan. The increase in traffic generated by the additional 4 lots is nominal to the overall traffic in the area and will not have an adverse effect on the existing roads. The existing utilities and emergency services are also adequate enough to handle the increase in residences. Technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process. Impacts to the schools, parks, fire and police are part of the RISE report and included in this submittal. The site is being proposed to be built as a small residential community with up to 25 homes; therefore it is our opinion the additional 4 homes will have minimal impact and not create an adverse effect on the existing public infrastructure.

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

Response:

The Enterprise Land Use Plan Goal 4 states, "Provide opportunities for additional single family and encourage appropriate site planning and architectural design." The proposed development satisfies this goal by providing single family homes with appropriate site planning and architectural design that is compatible to the surrounding existing residential developments.

Sincerely,

Edward Taney, P.E.
Taney Engineering

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04/20/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

PLACID ST/STARR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0089-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Starr Avenue and Doobie Avenue, and between Placid Street and La Cienega Street within Enterprise (description on file). MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

191-04-501-004; 191-04-501-013

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC) & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 33 foot wide government patent easement that bisects the project site. The vacation of the patent easement is necessary to develop the project site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-1	Undeveloped (approved for single family residential)
South	Residential Low (up to 3.5 du/ac)	R-D	Single family residential
East	Public Facilities	P-F	Steve Schorr Elementary School
West	Residential Low (up to 3.5 du/ac)	R-E	Single family residential & undeveloped

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

Related Applications

Application Number	Request
NZC-21-0088	A nonconforming zone change request to reclassify the project site from R-E to R-1 zoning for a single family residential development is a companion item on this agenda.
TM-21-500023	A tentative map request for 25 single family residential lots in an R-2 zone is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

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 19, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 55 feet to the back of curb for Starr Avenue, 30 feet for Placid Street, and associated spandrel;
- Coordinate with Public Works - Design Division for the Starr Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Starr Avenue improvement project;

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: OSALINDA MEADOR-APARICIO

CONTACT: SHANNON COOPER, TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION 11A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	STAFF	DATE FILED: <u>2/24/21</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$ 875.00</u> CHECK #: <u>PAGO VIA</u> COMMISSIONER: <u>NAFT INTERNET</u> OVERLAY(S)? <u>NONE</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>Vs-21-0089</u> TAB/CAC <u>ENTERPRISE</u> TAB/CAC DATE: <u>3/31/21</u> TIME: <u>6:00</u> PC MEETING DATE: <u>4/20/21 @ 7:00</u> BCC MTG DATE: <u>5/19/21 @ 9:00</u> ZONE / AE / RNP: <u>R-E / NONE / NONE</u> PLANNED LAND USE: <u>ENTRS / ENTRL</u>
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PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust and Roohani Khusrow TRS</u> ADDRESS: <u>9500 Hillwood Drive #201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-249-0777</u> CELL: _____ E-MAIL: <u>sevendalleysrealty@yahoo.com</u>
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APPLICANT	NAME: <u>William Lyon Homes, Inc</u> ADDRESS: <u>1980 Festival Plaza, Suite 500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-853-7501</u> CELL: _____ E-MAIL: <u>sswapp@taylor-morrison.com</u> ACA CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Taney Engineering, Shannon Cooper</u> ADDRESS: <u>6030 South Jones Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>ShannonC@taneycorp.com</u> ACA CONTACT ID #: _____
---------------	--

ASSESSOR'S PARCEL NUMBER(S): 191-04-501-004 & 191-04-501-013

PROPERTY ADDRESS and/or CROSS STREETS: _____

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

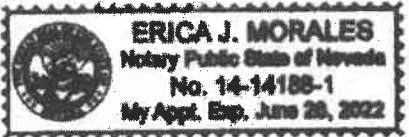
[Signature]

KHUSROW ROOHANI

Property Owner (Signature):

Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 12/29/2020 (DATE)
 By Roohani Khusrow
 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.



TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

VS-21-0089
PLANNER
COPY

December 31, 2020

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

RE: STARR & PLACID - Justification Letter for a Vacation of Patent Easement (APN 191-04-501-004, -013)

To Whom It May Concern:

Taney Engineering, on behalf of our client Taylor Morrison, formerly William Lyon Homes, is respectfully submitting the enclosed application for a Patent Easement Vacation application on our proposed residential project located at Starr & Placid St.

Project Description:

The project consists of a single family detached residential subdivision consisting of 25 lots (with 2 common lots) on 5.0 acres with a density of 5.0 dwelling units per acre. The site is currently zoned R-E, Rural Estates Residential, and is in the process of a Non-Conforming Zone Change to reclassify 2.5 acres to R-2, Medium Density Residential; also associated with Tentative Map and Design Review applications. The plans depicts 3 lots taking access from Doobie Avenue, which is along the south boundary of the site. The remaining 22 lots are located on a public cul-de-sac that intersects with Starr Avenue, which is located along the north boundary of the site. The public cul-de-sac has a 48-foot width, with a 38-foot-wide back of curb to back of curb dimension with 5-foot-wide sidewalks located along both sides of the street. The lots along the south boundary of the site are a minimum of 10,000 square feet (net).

The houses will consist of one to two story homes (height of two-story homes will not exceed 25.5 ft.) varying in size from approximately 1,813 to 2,662 sqft for the two-story homes and 2,111 to 2,531 for single stories. The plans depict 3-bedroom units with 2 different floor plans, the first floor of every unit will contain a 2 or 3 car garage, depending on the floor plan.

The enclosed application is to vacate patent #141807 recorded October 3, 1958.

If you need any further information, please let us know.

Sincerely,

Edward F. Taney, P.E.
President
Taney Engineering

04/20/21 PC AGENDA SHEET

PLACID ST & STARR AVE
(TITLE 30)

STARR AVE/PLACID ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-21-500023-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW
TRS:**

TENTATIVE MAP consisting of 25 lots and common lots on 4.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise. MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

191-04-501-004; 191-04-501-013

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL LOW (UP TO 5.5 DU/AC) & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.6
- Number of Lots: 25
- Density (du/ac): 5.5
- Minimum/Maximum Lot Size (square feet): 4,180 (gross & net)/10,068 (gross & net)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 25 lots on 4.6 acres at a density of 5.5 dwelling units per gross acre. The minimum and maximum lot sizes are 4,180 square feet and 10,068 square feet, respectively. The primary ingress and egress to the proposed development is via Sonny Miller Court, a proposed public street connecting to Starr Avenue. Sonny Miller Court terminates in a cul-de-sac bulb located adjacent to Lot 10 through Lot 13. A 5 foot wide sidewalk is proposed along both sides of Sonny Miller Court. Doobie Avenue, an existing public street, provides access to Lot 23 through Lot 25 that range between 9,623 square feet to 10,068 square feet. A 5 foot wide detached sidewalk is proposed along Starr Avenue and 5 foot wide attached sidewalks are proposed along Placid Street and Doobie Avenue.

Landscaping

The plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, located adjacent to Starr Avenue. Large and medium trees are planted 30 feet on

center along Starr Avenue in conjunction with shrubs and groundcover. Large evergreen trees are planted 30 feet on center along the west boundary line of the project site, in addition to a 6 foot high decorative wall, per Code requirements. A 6 foot wide landscape area is provided behind a proposed 5 foot wide attached sidewalk adjacent to Placid Street. Per Code, a 12 foot high wall (6 foot retaining wall and 6 foot screen wall) is permitted if the aforementioned street landscaping requirement is met. The maximum wall height along Placid Street, behind the landscape area, is 11 feet (5 foot retaining wall and 6 foot screen wall). The street landscape area features large and medium trees in conjunction with shrubs and groundcover.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-1	Undeveloped (approved for single family residential)
South	Residential Low (up to 3.5 du/ac)	R-D	Single family residential
East	Public Facilities	P-F	Steve Schorr Elementary School
West	Residential Low (up to 3.5 du/ac)	R-E	Single family residential & undeveloped

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

Related Applications

Application Number	Request
NZC-21-0088	A nonconforming zone change request to reclassify the project site from R-E to R-1 zoning for a single family residential development is a companion item on this agenda.
VS-21-0089	A vacation and abandonment of government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30. Approval of this request is contingent upon approval of NZC-21-0088. However, since staff is not supporting the waivers or design review for NZC-21-0088, staff cannot support this request.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the airport 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 19, 2021 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Starr Avenue, 30 feet for Placid Street, and associated spandrel;
- Coordinate with Public Works - Design Division for the Starr Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Starr Avenue improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised 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 homes purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0084-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ROSALINDA MEADOR-APARICIO

CONTACT: SHANNON COOPER, TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118

DRAFT



TENTATIVE MAP APPLICATION 12A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE <input type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>3/24/21</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$750.00</u> CHECK #: <u>PAID VIA INTERNET</u> COMMISSIONER: <u>NAFT</u> OVERLAY(S)? <u>NONE</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>TM-21-500023</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>3/31/21</u> TIME: <u>6:00</u> PC MEETING DATE: <u>4/20/21 @ 7:00PM</u> BCC MEETING DATE: <u>5/19/21 @ 9:00AM</u> ZONE / AE / RNP: <u>R-E / NONE / NONE</u> PLANNED LAND USE: <u>EMRS / ENTR L</u> NOTES: <u>-</u>
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PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust and Roohani Khusrow TRS</u> ADDRESS: <u>9500 Hillwood Drive #201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-249-0777</u> CELL: _____ E-MAIL: <u>sevenvalleysrealty@yahoo.com</u>
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APPLICANT	NAME: <u>Scott Swapp</u> ADDRESS: <u>1980 Festival Plaza, Ste. 500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-853-7501</u> CELL: _____ E-MAIL: <u>sswapp@taylor-morrison.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Taney Engineering / Shannon Cooper</u> ADDRESS: <u>6030 South Jones Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>ShannonC@taneycorp.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 191-04-501-004, -013

PROPERTY ADDRESS and/or CROSS STREETS: Starr Avenue and Placid Street

TENTATIVE MAP NAME: Silverleaf 2A at Starr and Placid

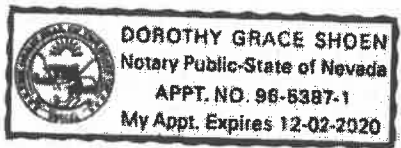
NUMBER OF LOTS: _____ GROSS/NET ACREAGE _____ GROSS/NET DENSITY _____

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)*
 Khusrow Roohani
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Nevada

SUBSCRIBED AND SWORN BEFORE ME ON 9/15/2020 (DATE)
 By Khusrow Roohani - Trustee
 NOTARY PUBLIC: Dorothy Grace Shoen



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

EASEMENTS
(TITLE 30)

CAMERO AVE/PIIONEER WY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0071-GILLIHAN, BRADLEY:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Wigwam Avenue, and between Pioneer Way and Jerlyn Street within Enterprise (description on file). JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:
176-15-201-045; 176-15-201-046

LAND USE PLAN:
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of a 33 foot wide government patent easement along the west property lines of both parcels and a 3 foot wide government patent easement along the north property line, excepting out the 30 feet for Camero Avenue which is needed for the dedication of a public right-of-way.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0341	Full off-site improvements on the south side of the parcel	Approved by BCC	June 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac) & Public Facilities	R-2	Single family residential
South, East, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Vacation to be recordable prior to scheduling a building final inspection;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BRADLEY GILLIHAN

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



VACATION APPLICATION

13A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS 21.0071</u> DATE FILED: <u>2/17/21</u>
		PLANNER ASSIGNED: <u>Rk</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/31/21</u> PC MEETING DATE: <u>4/20/21</u> BCC MEETING DATE: _____ FEE: <u>\$875.00</u>

PROPERTY OWNER	NAME: <u>Bradley Gillihan</u>
	ADDRESS: <u>7635 W Camero Ave.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-385-9200</u> CELL: _____
	E-MAIL: <u>Brad@diamondmasonryllc.com</u>

APPLICANT	NAME: <u>Bradley Gillihan</u>
	ADDRESS: <u>7635 W Camero Ave.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-385-9200</u> CELL: _____
	E-MAIL: <u>Brad@diamondmasonryllc.com</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Baughman & Turner, Inc.</u>
	ADDRESS: <u>1210 Hinson St.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: <u>7025-870-8771</u> CELL: <u>702-870-8772</u>
	E-MAIL: <u>joshh@baughman-turner.com</u>
	REF CONTACT ID #: <u>137071</u>

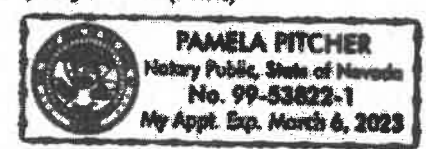
ASSESSOR'S PARCEL NUMBER(S): 176-15-201-045, 176-15-201-046

PROPERTY ADDRESS and/or CROSS STREETS: Camero/Pioneer

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.

Bradley Gillihan
 Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON January 16, 2021 (DATE)
 By Bradley Gillihan
 NOTARY PUBLIC: Pamela Pitcher

Bradley Gillihan, Owner
 Property Owner (Print)



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

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

January 21, 2021

Clark County Current Planning

500 S Grand Central Parkway
Las Vegas, Nevada 89155

**Re: Bradley Gillihan
APN 176-15-201-045 & 176-15-201-046**

To Whom It May Concern,

Please let this letter serve as a request and justification for a Vacation and Abandonment of a government patent easement. The 33' Patent Easement lies along the westerly property line, of the two residential lots and the South 3' of the North 33' of the North lot.

Per the County's request, we are vacating the unnecessary patent easement lying outside the dedicated right-of-way. Any utility and/or drainage easements required will be retained.

The approval of this request will not have a negative effect on the neighborhood or surrounding areas.

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

Sincerely,
Baughman & Turner, Inc.



David Turner
President

DT/jh

04/20/21 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

DECATUR BLVD/CC 215

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0075-CLARK COUNTY (AVIATION):

VACATE AND ABANDON easements of interest to Clark County located between CC 215 and Badura Avenue (alignment) and Decatur Boulevard and the Union Pacific Railroad, and a portion of a right-of-way being Decatur Boulevard located at the end of the Badura Avenue alignment within Enterprise (description on file). MN/nr/jd (For possible action)

RELATED INFORMATION:

APN:

177-06-201-043; 177-06-201-045 through 177-06-201-046; 177-06-301-005

LAND USE PLAN:

ENTERPRISE - INDUSTRIAL

BACKGROUND:

Project Description

The plans show a request to vacate and abandon 33 foot wide patent easements located in the northern portion of the site. The plans also depict the vacation of a portion of right-of-way at the intersection of Badura Avenue and Decatur Boulevard on the northeast and southeast corners of the intersection.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0042	Distribution center with waivers for freeway buffer, wall height, and driveway geometrics	Approved by BCC	May 2020
WS-0906-07	Sign package for Beltway Business Park	Approved by BCC	September 2007
ZC-0089-06	Reclassified 71 acres from R-E to M-D and M-1 zoning	Approved by BCC	May 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Right-of-way	Right-of-way	CC 215
South	Industrial	M-1	Undeveloped
East	Rural Neighborhood Preservation	R-E (RNP-1)	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Industrial	M-D	Office warehouses

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of easements and 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Cameron Street, 25.5 feet for Badura Avenue with a off-set cul-de-sac, and a County approved turnaround for Arby Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- In order to record this vacation a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control is required.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ROD MARTIN

CONTACT: TED EGERTON, LOCHSA ENGINEERING, 6345 S. JONES BOULEVARD,
SUITE 100, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

14A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0075</u>	DATE FILED: <u>2/17/21</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>3/31/21</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>4/20/21</u>	
		BCC MEETING DATE: _____	
		FEE: <u>875</u>	

PROPERTY OWNER	NAME: <u>Clark County Department of Aviation</u>		
	ADDRESS: <u>PO Box 11005</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89111</u>
	TELEPHONE: <u>702-261-3081</u>	CELL: _____	
	E-MAIL: _____		

APPLICANT	NAME: <u>Rod Martin w / Majestic Realty</u>		
	ADDRESS: <u>4050 West Sunset Road Suite H</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89118</u>
	TELEPHONE: <u>702-896-5564</u>	CELL: _____	
	E-MAIL: _____	REF CONTACT ID #: _____	

KORRESPONDENT	NAME: <u>Lochsa Engineering ATT Ted Egerton</u>		
	ADDRESS: <u>6345 South Jones Boulevard Suite 100</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89118</u>
	TELEPHONE: <u>702-365-9312</u>	CELL: <u>702-277-3578</u>	
	E-MAIL: <u>ted@lochsa.com</u>	REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): Decatur at Badura - APN 177-06-201-046 (Patent Easements)
APN 177-06-399-033 and 177-06-399-034 (Right of Way)

PROPERTY ADDRESS and/or CROSS STREETS: 6900 South Decatur Boulevard

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

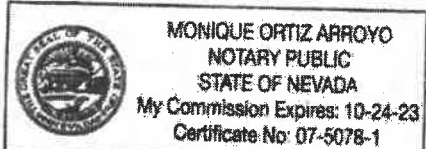
[Signature]
 Property Owner (Signature)*

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

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON FEB. 11, 2021 (DATE)
 By LISA KREMER, DIRECTOR

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.

Civil
Flood Control
Structural
Surveying
Traffic



February 10, 2021

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

Planner
Copy VS-21-0075

Subject: Vacation of Patent Easements, Right of Way Vacation – Justification Letter
Building 11 & 12 Beltway Business Park (PW#20-20811)
Lochsa Engineering Project No. 191163

This letter is intended to provide justification for the Vacation of Patent easements and Public Right of Way that are associated with Assessor's Parcel Number 177-06-201-046.

There are four Patent Easements that are being vacated so that the land can be used to construct the facility. The Patent Easement are not needed for any public roadways. The four patent easements that are being requested to be vacated are as follows:

Patent Number 1223034
Patent Number 1222887
Patent Number 1223033
Patent Number 1223179

These patent easements are 33 feet in width and generally located on the northern portion of the site. The patent easements traverse in both an east / west orientation and a north / south orientation. The existing eastbound on ramp to CC 215 to the north of the site effectively negates the need for the patent easement orientated in the north / south direction. The existing UP Railroad tracks on the east side of the property negates the need for the patent easements on the east / west orientation.

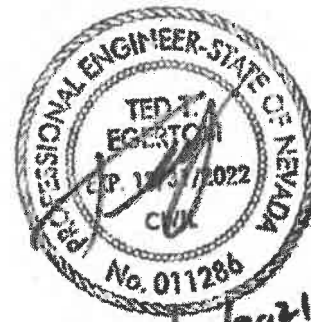
The vacation of the public right of way was originally dedicated for signal equipment at the intersection of Decatur Boulevard and Badura Avenue. The right of way exists on the northeast and southeast corners of the intersection. Traffic signal poles exist within the right of way. The intent is to vacate the right of way and rededicate the area as easements. This vacation is being requested by Clark County Public Works.

The right of way was originally dedicated under instrument number 20190115-0000420.

Sincerely,
LOCHSA ENGINEERING, LLC



Ted T. Egerton, P.E.



04/20/21 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

RAINBOW BLVD/ELDORADO LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0081-EAGLE PROMENADE, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Mardon Avenue and Eldorado Lane and between Rosanna Street and Rainbow Boulevard within Enterprise (description on file). MN/jor/jd (For possible action)

RELATED INFORMATION:

APN:

176-10-515-001

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

The site plan depicts 2 existing pedestrian access easements, 1 located along Eldorado Lane (south property line) and a second located along Rainbow Boulevard (east property line). Per the applicant, the approved civil improvement plans (PW18-17717) reflect a new location of driveways. The site revisions for the new driveways were approved via ADR-19-900908. In order for the new easements to match the correct proposed driveways, the existing pedestrian access easements must be vacated.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400062 (VS-18-0192)	First extension of time for a vacation and abandonment to record a portion of right-of-way being Rainbow Boulevard	Approved by BCC	August 2020
ET-20-400060 (UC-18-0193)	First extension of time for a proposed convenience store with gas pumps and a vehicle wash	Approved by BCC	August 2020
ADR-19-900908	Modifications to a previously approved convenience store, gasoline station, and vehicle wash	Approved by ZA	January 2020

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0193	Proposed convenience store, gasoline station, and vehicle wash, waivers for roofline variation and to reduce throat depth, and a design review for a proposed convenience store, gasoline station, and shopping center	Approved by BCC	April 2018
TM-18-500041	1 lot commercial subdivision	Approved by BCC	April 2018
WC-18-400066 (ZC-0989-02)	Waived all previous conditions established by ZC-0989-02	Approved by BCC	April 2018
VS-18-0192	Vacated and abandoned a portion of a right-of-way being Rainbow Boulevard located between Eldorado Lane and Warm Springs Road	Approved by BCC	April 2018
ZC-0989-02 (ET-0201-09)	Third extension of time to permanently reclassify the project site to C-1 zoning	Approved by BCC	March 2010
DR-0299-08	Financial institution (bank) on a pad site - expired	Approved by BCC	May 2008
UC-0279-08	Supper club on a pad site - expired	Approved by PC	May 2008
TM-0163-07	1 lot commercial subdivision - expired	Approved by PC	July 2007
VS-0706-07	Vacated and abandoned right-of-way (Rainbow Boulevard) - expired	Approved by PC	July 2007
WS-0179-07	Monument signs, design review for signage and future pad sites - expired	Approved by BCC	March 2007
VS-0308-06	Vacated and abandoned patent easements - recorded	Approved by PC	April 2006
ZC-0989-02	Reclassified the project site from R-E to C-1 zoning	Approved by BCC	August 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Shopping center
South	Commercial General & Public Facilities	P-F & C-2	Shopping center & Clark County public school (Steele Elementary School)
East	Commercial General	C-2	Shopping center
West	Public Facilities	P-F	Clark County park

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 pedestrian access easements since the driveways are no longer planned to be in the future location where the easements were granted.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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

- Grant necessary easements;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

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

APPLICANT: EAGLE PROMENADE, LLC

CONTACT: JULIA IZZOLO, ZENITH ENGINEERING, 1980 FESTIVAL PLAZA DRIVE, SUITE 450, LAS VEGAS, NV 89135



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

15A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>YS-21-0081</u>	DATE FILED: <u>2/18/21</u>
		PLANNER ASSIGNED: <u>JK</u>	TAB/CAC DATE: <u>3/31/21</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>4/20/21</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$875</u>	

PLANNER COPY

PROPERTY OWNER	NAME: <u>EAGLE PROMENADE L L C</u>
	ADDRESS: <u>9500 Hillwood Drive #201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: <u>702-249-0777</u> CELL: _____
	E-MAIL: <u>Kroohani@gmail.com</u>

APPLICANT	NAME: <u>EAGLE PROMENADE L L C</u>
	ADDRESS: <u>9500 Hillwood Drive #201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: <u>702-249-0777</u> CELL: _____
	E-MAIL: <u>Kroohani@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Zenith Engineering - Julia Izzolo, PE</u>
	ADDRESS: <u>1980 Festival Plaza Drive Suite 450</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-835-3496</u> CELL: <u>702-835-3496</u>
	E-MAIL: <u>julia@zenith-lv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-10-515-001

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow and Eldorado

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

[Signature]

Property Owner (Signature)*

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 02/18/21 (DATE)

By [Signature] DIANA DI FRANCESCO
NOTARY PUBLIC: [Signature]

KHUSROW ROOHANI

Property Owner (Print)



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



January 19, 2021

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

VS-21-0081

PLANNER
COPY

**Re: Quicky at Eagle Promenade, Zenith Project No. 201026
Pedestrian Access Easement Vacation Justification Letter**

Dear Sir or Madam:

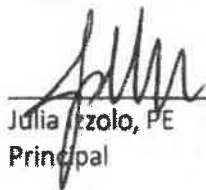
Zenith Engineering has been retained by Quicky Car Wash to file a vacation application to vacate two existing Pedestrian Access Easements associated with property located on the northwest corner of Rainbow and Eldorado (Assessor's Parcel Number 176-10-515-001).

Civil improvement plans for the subject site have been approved (PW18-17717) showing a proposed driveway on Rainbow Boulevard and a proposed driveway on Eldorado Lane. The on-site improvements for the site are being revised, including adjusting the location of both proposed driveways. The revisions have been approved with an Amended Design Review (ADR-19-900908). In order to revise the easement locations to match up with the revised driveway locations, we are requesting to vacate the existing pedestrian access easements associated with each driveway and will grant new pedestrian access easements in the updated location of the driveways.

Please feel free to contact me with any questions or comments at (702) 866-9535. Thank you.

Sincerely,

ZENITH ENGINEERING



Julia Szolo, PE
Principal

04/20/21 PC AGENDA SHEET

REDUCE LOT AREA
(TITLE 30)

MAULE AVE/HINSON ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0074-DBAC, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce lot area in conjunction with a single family residential development on 12.4 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

Generally located on the west side of Hinson Street and the north side of Maule Avenue within Enterprise. MN/lm/jd (For possible action)

RELATED INFORMATION:

APN:
177-06-601-012; 177-06-601-022; 177-06-601-014

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the minimum net lot area for lots adjacent to a collector street to 15,492 square feet where 16,200 square feet is allowed per Table 30.40-1 (a 4% reduction).

LAND USE PLAN:
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12.4
- Number of Lots/Units: 23
- Density (du/ac): 1.93
- Minimum/Maximum Lot Size (square feet): 15,492/19,214 (net)/20,040/26,159 (gross)
- Project Type: Single family residential development

Site Plans

The plans depict a previously approved gated single family residential development consisting of 23 lots. One of the subdivision lots, Lot 23, is designed with a minimum net lot area of 15,492 square feet and the largest lot has a net lot area of 19,214 square feet. All proposed lots are served by two, 40 foot to 50 foot wide private streets with R-type curb. Access to the subdivision is from a single gated entrance on Maule Avenue to the south.

Applicant's Justification

The applicant indicates that Lot 23 is located on the exterior of the subdivision and the requested reduction in net lot size is due to the private street width and streetlight and traffic control easement area reducing the minimum lot size. All other lots in the subdivision will meet the minimum lot area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0108	Waived landscaping, increased wall height, off-site improvements for a single family residential subdivision	Approved by BCC	March 2018
VS-18-0094	Vacated and abandoned patent easements and portions of right-of-way (Pamalyn Avenue and Hinson Street)	Approved by BCC	March 2018
TM-18-500020	23 lot single family residential subdivision	Approved by BCC	March 2018
WS-0662-13	Reduced lot size, reduced street intersection offset, waived off-site improvements (curb, gutter, sidewalk, streetlights, and reduced paving) and allowed non-through street improvements in conjunction with a proposed single family residential subdivision	Withdrawn	February 2014
VS-0661-13	Vacated and abandoned government patent easements	Withdrawn	February 2014
TM-0179-13	23 lot single family residential development	Withdrawn	February 2014
VS-0397-13	Vacated and abandoned government patent easements	Withdrawn	September 2013
WS-0396-13	Reduced lot area, waived off-site improvements, and allowed non-standard street improvements for a single family residential subdivision	Withdrawn	September 2013
TM-0100-13	23 lot single family residential development	Withdrawn	September 2013
WS-0541-12	Reduced lot area and waived off-site improvements for a single family residential subdivision	Withdrawn	October 2012
TM-0082-12	23 lots	Withdrawn	October 2012
VS-0542-12	Vacated and abandoned government patent easements	Withdrawn	October 2012
TM-0511-06	24 lots - expired	Approved by PC	February 2007
ZC-1026-05	Zone boundary amendment initiated by the Board of County Commissioners to establish the RNP-I Overlay District	Approved by BCC	October 2005

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0676-04	24 lots - expired	Approved by PC	December 2004
VS-1989-04	Vacated and abandoned patent easements - expired	Approved by PC	December 2004
TM-0127-03	24 lots - expired	Approved by PC	May 2003
VS-0557-03	Vacated and abandoned patent easements and a portion of Pamalyn Avenue right-of-way - withdrawn in November 2004	Approved by PC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	M-1	CC 215 & industrial developments
East & South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Public Facilities	R-E (RNP-I)	Undeveloped & water storage reservoir

STANDARDS FOR APPROVAL:

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

Analysis

Current 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 that this request to be of minimal consequence with the reduction being 4 percent. The request is only for 1 lot in a 23 lot subdivision. All lots will face internally to the subdivision which is gated; therefore, the small reduction will not be discernible from the exterior of the subdivision. Therefore, staff can support the request.

Department of Aviation

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

The property lies within the AE-60 (60 - 65 DNL) noise contour for McCarran 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 McCarran International facilities to meet future air traffic demand.

**Staff Recommendation
Approval.**

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- 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; 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DBAC, LLC
CONTACT: ELISHA SCROGUM, LANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118



LAND USE APPLICATION

16A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
 - ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
 - USE PERMIT (UC)
 - VARIANCE (VC)
 - WAIVER OF DEVELOPMENT STANDARDS (WS)
 - DESIGN REVIEW (DR)
 - PUBLIC HEARING
 - ADMINISTRATIVE DESIGN REVIEW (ADR)
 - STREET NAME / NUMBERING CHANGE (SC)
 - WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
 - EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)
- DEVELOPMENT AGREEMENT (DA)

STAFF

DATE FILED: 2/24/2021 APP. NUMBER: WS 21-0074
 PLANNER ASSIGNED: LMN TAB/CAC: ENTERPRISE
 ACCEPTED BY: LMN TAB/CAC MTG DATE: 3/31/21 TIME: 6pm
 FEE: \$ 475 PG MEETING DATE: 4/20/2021
 CHECK #: online BCG MEETING DATE: ---
 COMMISSIONER: --- ZONE / AE / R / IP: ---
 OVERLAY(S)? --- PLANNED LAND USE: ---
 PUBLIC HEARING? Y/N NOTIFICATION RADIUS: --- SIGN? Y/N
 TRAILS? Y/N PFNA? Y/N LETTER DUE DATE: ---
 APPROVAL/DENIAL BY: --- COMMENCE/COMPLETE: ---

PROPERTY OWNER

NAME: DBAC, LLC
 ADDRESS: 6625 West Badura Avenue
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-307-6393 FAX: ---
 CELL: --- E-MAIL: Steve@lik.com

APPLICANT

NAME: DBAC, LLC
 ADDRESS: 6625 West Badura Avenue
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-307-6393 FAX: ---
 CELL: --- E-MAIL: Steve@lik.com

CORRESPONDENT

NAME: Taney Engineering attn: Elisha Scrogum
 ADDRESS: 6030 S. Jones Blvd., Suite 100
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-362-8844 FAX: 702-362-5233
 CELL: --- E-MAIL: ElishaS@TaneyCorp.com

ASSESSOR'S PARCEL NUMBER(S): 177-06-601-012 . 177-06-601-022 & 177-06-601-024
 PROPERTY ADDRESS and/or CROSS STREETS: West Maule Ave and Hinson Street
 PROJECT DESCRIPTION: Residential Subdivision

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

[Signature]
 Property Owner (Signature)*

Stephen Goodwin
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON December 16, 2020 (DATE)
 By Steve Goodwin
 NOTARY PUBLIC: Elisha Scrogum



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



TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

January 21, 2021

Clark County Public Works
500 S. Grand Central Pkwy
Las Vegas, NV 89155

WS-21-0074

RE: **Maule & Hinson Phase 1 Justification Letter (Waiver of Development Standards)**
APN: 177-06-601-012, -022, & -024

To Whom It May Concern:

On behalf of our client, DBAC, LLC, please accept this justification letter for a Waiver of Development Standards on APN 177-06-601-012.

Due to the economic hardships of COVID-19, the client has requested us to phase out the project in 3 phases. Previously, APN 177-06-601-012, -022, and -024 were to be considered a single site and developed at the same time. Now, APN 177-06-601-012 shall be phase 1, APN 177-06-601-022 phase 2, and APN 177-06-601-024 phase 3. From the original approval (WS-18-0108), no changes have been made to the layout of the subdivision. Additionally, no changes have been made to the floor plans or elevation of the proposed residencies from original approval.

Phase 1 of this site consists of one parcel on 5 ± gross acres that has a Rural Neighborhood Preservation (RNP) land use and a Rural Estates Residential (R-E) zoning. The site is currently undeveloped. The adjacent parcels surrounding the site also consists of a land use of Rural Neighborhood Preservation (RNP) and a zoning of Rural Estates Residential (R-E). The existing parcels are developed as single-family homes.

WAIVER OF DEVELOPMENT STANDARDS: Reduce Net Lot Size per Chapter 30.40-1

We are requesting to reduce the net lot area of lot 23 to 15,492 square feet, where 16,200 square feet is required. This is resulting in a 4.4% reduction from the development standards. Lot 23 abuts west Maule Avenue and because of this, a 3-foot street light and traffic control device easement must be granted. Without this easement, the net lot size would be increased to 16,202 square feet and would meet the required area within the development standard. It should also be noted that all other lots within phase 1 meet both the gross and net area requirements.

We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,

TANEY ENGINEERING

Jason Spain; Designer I

04/21/21 BCC AGENDA SHEET

SETBACKS
(TITLE 30)

CRISMAN RIDGE ST/SILVERADO RANCH BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-21-0083-PARDEE HOMES NEVADA:

DESIGN REVIEW for modified setbacks for 4 lots in a residential Planned Unit Development on 0.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/nr/jd (For possible action)

RELATED INFORMATION:

APN:

177-30-512-007 through 177-30-512-010

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description:

General Summary:

- Site Address: 4228 Orchard Run Ave., 9755, 9735, 9715 Crisman Ridge St.
- Site Acreage: 0.8
- Number of Lots: 4
- Project Type: Setbacks
- Number of Stories: 1

Site Plans:

The plans depict 4 lots within an approved Planned Unit Development (PUD) with setbacks originally determined by NZC-19-0436. Lots 7 through 10 are located in the northwest corner of the development, south of Silverado Ranch Boulevard. The approved plans show lots 8 through 10 parallel to Crisman Ridge Street, and lot 7 parallel to Orchard Run Avenue. The previously approved setbacks, adjacent to the existing single family residence, were as close as 12 feet (rear yard) with the lots having very large side yards. The proposed changes include 2 alternatives for setbacks, a rotated orientation and a perpendicular orientation in relation to the street, providing a larger rear yard and separation from the existing neighbor. The rotated orientation shows a 10 foot front setback with a side loaded driveway, a minimum side setback of 18.6 feet, with a minimum of 18.7 foot rear setback. The perpendicular orientation shows a 10 foot front setback with a side loaded driveway, a minimum side setback of 19.5 feet, with a minimum of 31 foot

rear setback. Lots 8 through 10 will have access onto Crisman Ridge Street and lot 7 will have access onto Orchard Run Avenue.

Landscaping

Landscaping was previously approved and will not change with this request.

Elevations & Floor Plans

The approved elevations and floor plans for the 1 story single family homes on lots 7 through 10 will not change from the approval of NZC-19-0436.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the request is submitted in order to provide future homeowners flexibility while providing a buffer to the existing single family residence located to the west of the development. The request would not change the requirements for lots 7 through 10 to be a minimum of 10,000 square feet and have 1 story single family homes as approved with NZC-19-0436.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-0436	Reclassified 3.8 acres from R-E to R-2 zoning, 2.6 acres from R-E to R-3 zoning, and 5.1 acres from R-E to R-3 zoning with waivers and design reviews	Approved by BCC	August 2019
TM-19-500110	189 lot detached single family development	Approved by BCC	August 2019
TM-19-500111	116 lot attached residential planned unit development	Approved by BCC	August 2019
VS-19-0437	Vacated and abandoned easements and right-of-way-related to a single family and multiple family development	Approved by BCC	August 2019
ZC-18-0691	Reclassified portions of the site to R-2 and R-3 zoning	Approved by BCC	December 2018
TM-18-500164	Attached residential planned unit development (townhouses)	Approved by BCC	December 2018
TM-18-500165	Detached single family residential development	Approved by BCC	December 2018
VS-18-0690	Vacated and abandoned easements and rights-of-way	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
South & East	Residential High (from 8 to 18 du/ac)	R-2	Single family residential & undeveloped
West	Residential High (from 8 to 18 du/ac)	R-E	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The proposed alternative setbacks for lots 7 through 10 is an improvement in the overall design of the house orientations and the applicant has demonstrated an effort to comply with applicable conditions from the previous approval in that the homes will be 1 story and the lots will remain 10,000 square feet in size. The project is compliant with a portion of Policy 43, which promotes varied neighborhood design, encourages varied setbacks, and reduced visual dominance of garages; therefore staff can support the design review for alternative setbacks.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran 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 McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 or it will expire.

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is advised 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

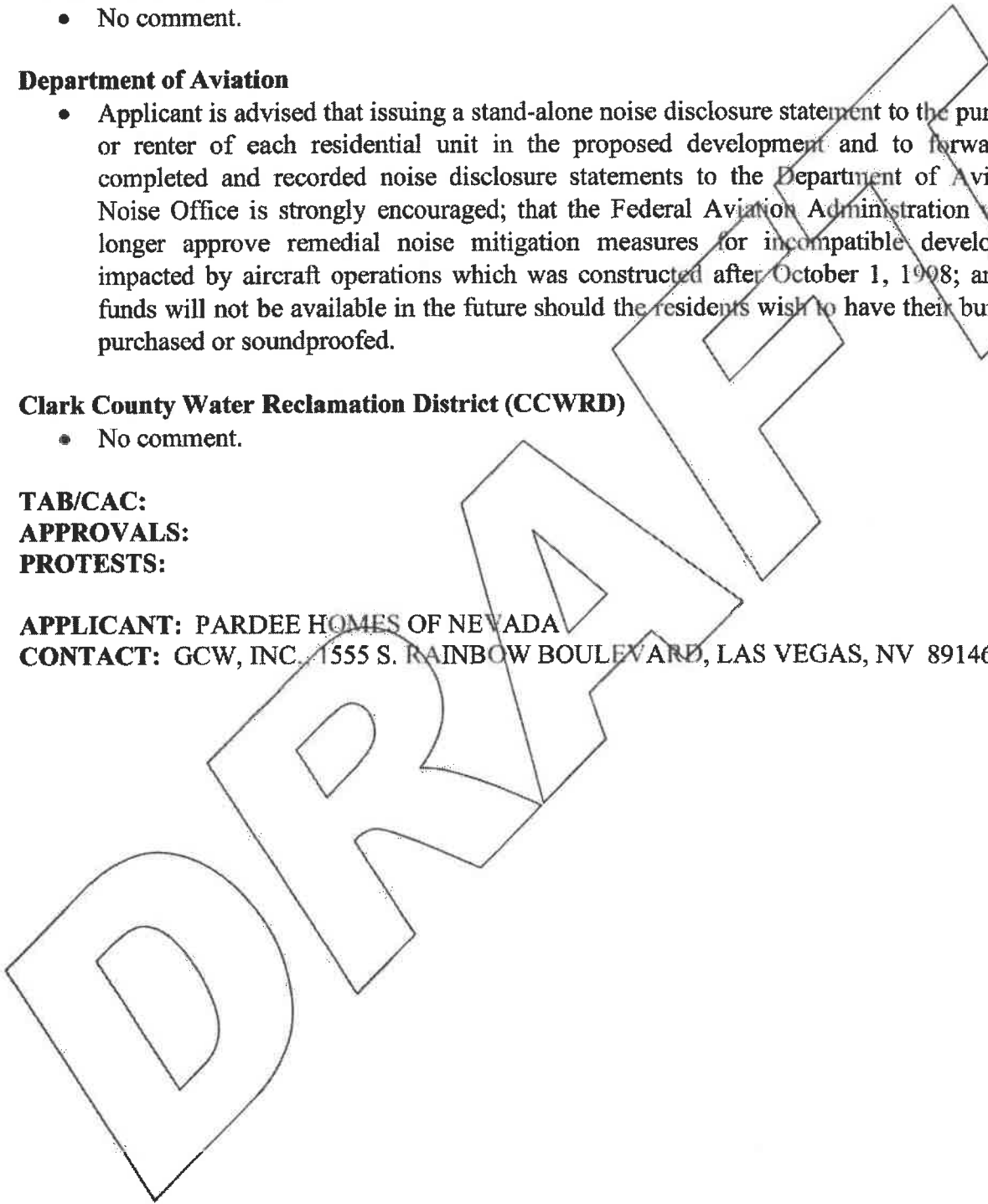
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PARDEE HOMES OF NEVADA

CONTACT: GCW, INC., 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146



APR-21-10011



LAND USE APPLICATION 17A
CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
ZONE CHANGE
CONFORMING (ZC)
NONCONFORMING (NZC)
USE PERMIT (UC)
VARIANCE (VC)
WAIVER OF DEVELOPMENT STANDARDS (WS)
DESIGN REVIEW (DR)
PUBLIC HEARING
ADMINISTRATIVE DESIGN REVIEW (ADR)
STREET NAME / NUMBERING CHANGE (SC)
WAIVER OF CONDITIONS (WC)
ANNEXATION REQUEST (ANX)
EXTENSION OF TIME (ET)
APPLICATION REVIEW (AR)

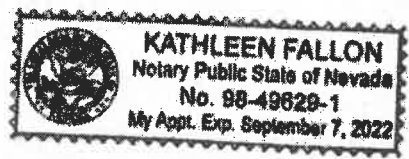
STAFF: DATE FILED: 2/22/21, APP. NUMBER: WS-21-0083, PLANNER ASSIGNED: NR, TAB/CAC: Enterprise, ACCEPTED BY: _____, TAB/CAC MTG DATE: 3/31 TIME: 6pm, FEE: 1150, PG MEETING DATE: _____, CHECK #: _____, BCC MEETING DATE: 4/21, COMMISSIONER: JJ, ZONE / AE / RNP: _____, OVERLAY(S)? _____, PLANNED LAND USE: _____, PUBLIC HEARING? (Y)N, NOTIFICATION RADIUS: _____ SIGN? Y/N, TRAILS? Y(N) PFNA? Y/N, LETTER DUE DATE: _____, APPROVAL/DENIAL BY: _____, COMMENCE/COMPLETE: _____
PROPERTY OWNER: NAME: Pardee Homes of Nevada, ADDRESS: 4675 W. Teco Road, Suite #115, CITY: Las Vegas, STATE: NV, ZIP: 89118, TELEPHONE: 702-614-1400, CELL: _____, E-MAIL: dan.hale@pardeehomes.com
APPLICANT: NAME: Pardee Homes of Nevada, ADDRESS: 4675 W. Teco Road, Suite #115, CITY: Las Vegas, STATE: NV, ZIP: 89118, TELEPHONE: 702-614-1400, CELL: _____, E-MAIL: dan.hale@pardeehomes.com, REF CONTACT ID #: _____
CORRESPONDENT: NAME: GCW, Inc./Brandi Reid, ADDRESS: 1555 S. Rainbow Boulevard, CITY: Las Vegas, STATE: NV, ZIP: 89146, TELEPHONE: 702-804-2109, CELL: 702-780-9188, E-MAIL: breid@gcwengineering.com, REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-512-007, -008, -009, & -010
PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch Boulevard and Arville Street
PROJECT DESCRIPTION: Silverado Ranch and Arville

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

Property Owner (Signature)* [Signature]
Property Owner (Print) Dan Hale

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 1/4/21 (DATE)
BY Dan Hale
NOTARY PUBLIC: Kathleen Fallon



*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.

5523-A065

January 5, 2020

Clark County Development Services
 500 South Grand Central Parkway
 Las Vegas, Nevada 89155-1744

Planner
 Copy
 WS-21-0083

**Re: Silverado and Arville
 Alternate Setback Waiver**

GCW Inc. ("GCW") requests an alternative setback waiver for oversized Lots 7-10 for the above-mentioned project on behalf of its client and the applicant, Pardee Homes.

The corresponding NZC-19-0436 Notice of Final Action dated August 29, 2019, requires Lots 7-10 to be a minimum of 10,000 square feet and contain single-story homes. This restriction was intended to benefit the adjacent and existing rural estate on 177-30-502-002 (the "Misling" property) so they would have more separation from the homes that would be built on said lots.

Ordinarily, the front of a house faces the street, as depicted in Figure 30.56-3. While the houses fit on Lots 7-10 in this typical fashion coupled with the approved setbacks (see Page 1 of the attached Setback Exhibit), this plotting is less than ideal for the future homeowners as well as the Mislings. The future homeowners will have a relatively small rear yard and oddly large side yard, and the homes will be plotted as close as 12' to the Misling's property line.

Consequently, we respectfully request Alternative Site Development Standards for Lots 7-10, which are processed as a Waiver of Standards per Section 30.56.140. This will allow for flexibility in the orientation of the homes on said lots that benefits both the future homeowners and the Mislings. We have provided two "After" examples (on Page 2 and 3) in the attached Setback Exhibit of how the homes may be plotted on these lots with Alternative Site Development Standards. Our intention is to provide as much flexibility as reasonably possible to allow the future homeowners to select the precise plotting of their home.

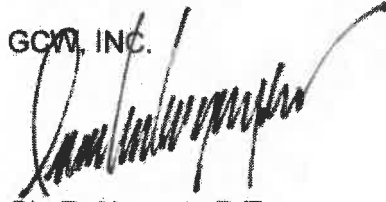
The proposed Alternative Site Development Standards provide larger minimum setbacks with the reoriented houses than is required for the traditional load-loaded condition:

SETBACK	FRONT LOADED (EXHIBIT PAGE 1)	SIDE LOADED (EXHIBIT PAGE 2)	SIDE LOADED & ROTATED (EXHIBIT PAGE 3)
FRONT GARAGE	20'	35'	35'
FRONT LIVING	10'	24.25'	18.61'
REAR	12' for 50% house width & then 15'	19.5'	24.2'
SIDE	5'	10'	10'

Thank you for your consideration and approval of this request. Please give me a call if you have any questions.

Cordially,

GCM, INC.



Gia D. Nguyen, P.E.
Senior Vice President

Enclosures

Planner
Copy

WS-21-0083

04/21/21 BCC AGENDA SHEET

RESTAURANTS
(TITLE 30)

BLUE DIAMOND RD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400024 (ZC-18-0961)-LONE MOUNTAIN PARTNERS, LLC:

DESIGN REVIEW FIRST EXTENSION OF TIME for the following: 1) restaurant buildings with drive-thru service; and 2) alternative parking lot landscaping in conjunction with a commercial development.

Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For possible action)

RELATED INFORMATION:

APN:

177-18-602-007

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Restaurants with drive-thru
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 4,600
- Parking Required/Provided: 20/50

Site Plans

The site was previously approved via ZC-18-0961 to construct 2 restaurants with a separate drive-thru service for each building, and alternative parking lot landscaping for a commercial development. The plans submitted with ADR-19-900822 changed the layout of the restaurants on the site and added landscaping. Access to the site is provided by a driveway adjacent to Blue Diamond Road on the northeast corner of the parcel. The plans also showed future cross access to the neighboring parcel to the west. The plans included bicycle parking, pedestrian walkways, and a trash enclosure. A total of 20 parking spaces are required for this development, and the applicant is providing 50 spaces.

Landscaping

Landscaping is located throughout the site, with the addition of landscaping finger islands and additional landscaping around the perimeter of the proposed retail building.

Elevations

The buildings are each 1 story with a maximum height of 26 feet. The buildings have flat roofs behind parapet walls that vary in height to break-up the rooflines. The exterior of the buildings consist of a parapet roof, storefront glazing, fiber cement panels, wall light fixtures, sand finish stucco, and aluminum panels. The exterior elevations of the buildings will also have recesses, pop-outs, and other architectural features to break-up the vertical and horizontal surfaces of the buildings.

Floor Plans

The 2 buildings will have a total area of 4,600 square feet. The eastern building has an area of 1,600 square feet and the western building is 3,000 square feet. The plans depict the buildings as shells to be completed in the future to accommodate the needs of the future tenants.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0961:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Provide cross access to adjacent parcels as shown on the plans;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division.
- Applicant is advised that driveways must be a minimum of 32 feet in width measured from the lip of gutter to the lip of gutter; and that the installation of detached sidewalks will require the granting of necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

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

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; cross agreements may be required to ensure sufficient legitimate access; to show fire hydrant locations on-site and within 750 feet; that fire protection may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

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 #0694-2018 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 indicates that the extension is needed due to delays in utility and development plans along with completing the ground lease. The applicant states that there has been no change in the area and a 2 year extension of time is justified to preserve the approved entitlements.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-000822	Site redesign	Approved by ZA	December 2019
ZC-18-0961	Reclassified site from H-2 to C-2 zoning for commercial development	Approved by BCC	February 2019

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0962	Vacated of 30 feet of Schirlls Street	Approved by BCC	February 2019
SC-1717-98	Renamed an existing north/south street alignment from Schirlls Street, Schirlls Avenue, Vista Street et al to Schirlls Street	Approved by BCC	December 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Shopping center
South, East & West	Commercial Tourist	H-2 & R-E	Undeveloped

Related Applications

Application Number	Request
ET-21-400025 (VS-18-0962)	First extension of time to vacate Schirlls Street adjacent to the site is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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. In 2019 an Administrative Design Review was approved to redesign aspects of the approved site plan. Since that time there have not been any applications or permits applied for on the site. Staff can support an extension of time since the proposed development is consistent and compatible with other commercial developments along this portion of Blue Diamond Road.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until February 6, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: LONE MOUNTAIN PARTNERS, LLC

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

18A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) ZC-18-0981 & VS-18-0982 (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: _____ DATE FILED: _____</p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: _____ TAB/CAC DATE: _____</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: _____</p> <p>FEE: _____</p>
	PROPERTY OWNER	<p>NAME: <u>Lone Mountain Partners, LLC</u></p> <p>ADDRESS: <u>415 N. Dearborn St. 4th Floor</u></p> <p>CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60654</u></p> <p>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u></p> <p>E-MAIL: <u>n/a</u></p>
	APPLICANT	<p>NAME: <u>Lone Mountain Partners, LLC</u></p> <p>ADDRESS: <u>415 N. Dearborn St. 4th Floor</u></p> <p>CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60654</u></p> <p>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u></p> <p>E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u></p>
	CORRESPONDENT	<p>NAME: <u>Kaempfer Crowell - Tony Celeste</u></p> <p>ADDRESS: <u>1980 Festival Plaza Dr. #650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-693-4215</u></p> <p>E-MAIL: <u>ajc@kcnvlaw.com</u> REF CONTACT ID #: <u>164874</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-18-602-007

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

PROJECT DESCRIPTION: Extension of time for a zone change and vacation

(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)* Sen Dorf Property Owner (Print)

STATE OF ILLINOIS
 COUNTY OF COOK

SUBSCRIBED AND SWORN BEFORE ME ON February 2, 2012 (DATE)
 by SAM DORF

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

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ANTHONY J. CELESTE

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Fax: 775.327.2011

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

February 2, 2021

VIA EMAIL

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

**Re: *Justification Letter – First Extension of Time for ZC-18-0961
Lone Mountain Partners LLC
APN: 177-18-602-007 (SWC of Blue Diamond Road & Schirlls Street)***

To Whom It May Concern:

Please be advised our office represents Lone Mountain Partners LLC (the "Applicant") in the above-referenced matter. By way of background, on February 6, 2019, the Board of County Commissioners approved, via ZC-18-0961, a zone change application to C-2 and a design review for a commercial development consisting of two (2) restaurants with drive-thru on approximately 0.9 acres located on the southwest corner of Blue Diamond Road and Schirlls Street. The property is more particularly described as APN: 177-18-602-007 (the "Site"). The Applicant is requesting a first extension of time to preserve the approved entitlements.


A first extension of time is appropriate for the following reasons:

- The Site is on Blue Diamond Road. Blue Diamond Road is a major arterial.
- The Site is master planned Commercial Tourist (CT). A C-2 zoning district complies with a CT master plan designation.
- The current trend is commercial development along Blue Diamond Road between Edmond Street and Dean Martin Drive.
- There have been no substantial changes in the area.
- The property surrounding the Site is master planned CT.

For the reasons listed above, a first extension of time is justified. The Applicant respectfully requests another two year extension. Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC

04/21/21 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

BLUE DIAMOND RD/ARVILLE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400025 (VS-18-0962)-LONE MOUNTAIN PARTNERS, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of a right-of-way being Schirlls Street located between Blue Diamond Road and Wigwam Avenue within Enterprise.

Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). J/nr/jd (For possible action)

RELATED INFORMATION:

APN:

177-18-602-007

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

The applicant is proposing to develop the parcel with 2 restaurants. The request is to vacate an existing 30 foot wide right-of-way dedication along the east side of the parcel. This right-of-way is along the alignment of Schirlls Street. The applicant indicates that the right-of-way is not necessary for the development of this area. The site is adjacent to a single parcel along the east, west, and south sides that is under the control of the Clark County Department of Aviation (DOA). The applicant indicates that they will work with the DOA to provide shared access with this site and the adjacent property, so the street is not needed.

Previous Conditions of Approval

Listed below are the approved conditions for VS-18-0962:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Record cross-access easements as shown on the plans for ZC-18-0961 prior to the recordation of this vacation;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Applicant's Justification

The applicant indicates that the extension is needed due to delays in utility and development plans along with completing the ground lease. The applicant states that there has been no change in the area and a 2 year extension of time is justified to preserve the approved entitlements.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900822	Site redesign	Approved by ZA	December 2019
ZC-18-061	Reclassified site from H-2 to C-2 zoning for commercial development	Approved by BCC	February 2019
VS-18-0962	Vacated 30 feet of Schirlls Street	Approved by BCC	February 2019
SC-1717-98	Renamed an existing north/south street alignment from Schirlls Street, Schirlls Avenue, Vista Street et al to Schirlls Street	Approved by BCC	December 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Shopping center
South, East & West	Commercial Tourist	H-2 & R-E	Undeveloped

Related Applications

Application Number	Request
ET-21-400024 (ZC-18-0961)	First extension of time for a commercial development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the

subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: LONE MOUNTAIN PARTNERS, LLC

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



LAND USE APPLICATION

19A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) ZC-18-0981 & VS-18-0982 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: Lone Mountain Partners, LLC ADDRESS: 415 N. Dearborn St. 4th Floor CITY: Chicago STATE: IL ZIP: 60654 TELEPHONE: 000-000-0000 CELL: 000-000-0000 E-MAIL: n/a
	APPLICANT NAME: Lone Mountain Partners, LLC ADDRESS: 415 N. Dearborn St. 4th Floor CITY: Chicago STATE: IL ZIP: 60654 TELEPHONE: 000-000-0000 CELL: 000-000-0000 E-MAIL: n/a REF CONTACT ID #: n/a
	CORRESPONDENT NAME: Kaempfer Crowell - Tony Celeste ADDRESS: 1980 Festival Plaza Dr. #650 CITY: Las Vegas STATE: NV ZIP: 89135 TELEPHONE: 702-792-7000 CELL: 702-693-4215 E-MAIL: ajc@kcnvlaw.com REF CONTACT ID #: 184674

ASSESSOR'S PARCEL NUMBER(S): 177-18-602-007

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

PROJECT DESCRIPTION: Extension of time for a zone change and vacation


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


 Property Owner (Signature)*


 Property Owner (Print)

STATE OF ILLINOIS
 COUNTY OF COOK

SUBSCRIBED AND SWORN BEFORE ME ON February 2, 2012 (DATE)
 By SAM DORF

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.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

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Tel: 775.852.3900
Fax: 775.327.2011

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

February 2, 2021

VIA EMAIL

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

**Re: *Justification Letter – First Extension of Time for VS-18-0962
Lone Mountain Partners LLC
APN: 177-18-602-007 (Portion of Schirlls Street Between Blue Diamond Road and
Wigwam Avenue)***

To Whom It May Concern:

Please be advised our office represents Lone Mountain Partners LLC (the "Applicant") in the above-referenced matter. By way of background, on February 6, 2019, the Board of County Commissioners approved, via VS-18-0962, a vacation and abandonment of the western 30' of Schirlls Street south of Blue Diamond Road. The vacation and abandonment was approved in conjunction with a ZC-18-0961, which approved a commercial development consisting of two (2) restaurants with drive-thru on approximately 0.9 acres located on the southwest corner of Blue Diamond Road and Schirlls Street. The Applicant is requesting a first extension of time for the vacation and abandonment of this portion of Schirlls Street as a companion item to the first extension of time for ZC-18-0961. A first extension of time is appropriate and justified as there is not a need for this portion of right-of-way and there have been no substantial changes in the area.

The Applicant respectfully requests another two year extension. Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC

04/21/21 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION
(TITLE 30)

WINDMILL LN/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400028 (UC-18-0874)-CLAYTON PLAZA LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) convenience store; 2) gasoline station; 3) reduce the separation from a proposed convenience store to a residential use; and 4) reduce the separation from a proposed gasoline station to a residential use.

DESIGN REVIEW for a convenience store and gasoline station on a portion of 3.9 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Windmill Lane and the west side of Buffalo Drive within Enterprise. JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-16-501-010 ptn

USE PERMITS:

1. Allow a convenience store.
2. Allow a gasoline station.
3. Reduce the separation from a proposed convenience store to a residential use to 38 feet where 200 feet is required per Table 30.44-1 (an 81% reduction).
4. Reduce the separation from a proposed gasoline station to a residential use to 175 feet where 200 feet is required per Table 30.44-1 (a 13% reduction).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.3 (project site)/3.9 (overall site)
- Project Type: Convenience store and gasoline station
- Number of Stories: 1
- Building Height (feet): 22 (convenience store)/19.5 (fuel canopy)
- Square Feet: 3,225 (convenience store)
- Parking Required/Provided: 13/15

Request

This request is to keep active the previously approved use permits for the site. While the original site design was approved by UC-18-0874, a new site design was approved per WS-20-0485. The plan descriptions in this report have been updated to match the latest approved plans in WS-20-0485 with the design conditions of UC-18-0874 having been addressed on the plans.

Site Plans

The previously approved plans depict a 3,225 square foot proposed convenience store, located on the northern portion of the site, consisting of 1.3 acres. The convenience store is set back 23 feet 2 inches from the east property line. A gasoline station, consisting of a fuel canopy with an area measuring 3,154 square feet, is located immediately to the north of the convenience store and set back 143 feet from the west property line. The gasoline station is set back 75 feet from the north property line and 53 feet 8 inches from the east property line. The required trash enclosure is located to the south of the convenience store. The required bicycle spaces are located adjacent to the north side (front) of the convenience store. Five foot wide internal pedestrian walkways connect the proposed convenience store to the detached sidewalks along the public streets. Six fueling pumps are located underneath the fuel canopy. Parking spaces are provided for the proposed development along Windmill Lane and adjacent to the convenience store. Access to the site is granted via proposed commercial driveways along Windmill Lane and Buffalo Drive.

Landscaping

The previously approved plans depict a 15 foot wide landscape area that includes 5 foot wide detached sidewalks adjacent to portions of Windmill Lane and Buffalo Drive. Along Buffalo Drive, south of the commercial driveway, there is a proposed 5 foot wide landscape area located on a portion of Buffalo Drive with a 5 foot wide sidewalk behind the property line with an additional 10 feet of landscaping. Groundcover will be provided behind the sidewalk at the corner of Windmill Lane and Buffalo Drive, with a minimum of 15 feet of landscaping located behind the property line. As previously required, an intense landscape buffer, measuring 25 feet in width with large evergreen trees planted 20 feet on center, is located along the northwestern property line adjacent to the existing single family residential development. Interior parking lot landscaping is equitably distributed throughout the site.

Elevations

The previously approved plans depict a proposed convenience store with a height ranging from 20 feet to 23 feet to the top of the parapet wall. An aluminum storefront window system with decorative stone veneer is featured on the north elevation of the building. The north, south, east, and west elevations of the convenience store feature varying rooflines and a stucco exterior. The convenience store features a baked clay and sandstone color scheme.

The previously approved plans depict a fuel canopy that has been reduced in size from what was previously approved (UC-18-0874) and measures 19.5 feet in height and 83 feet in length with 6 fuel pumps. A 4 foot high stone veneer base is featured on each steel supporting column of the fuel canopy. Decorative stone veneer and a stucco coating is featured along the roofline of the canopy. The supporting columns of the fuel canopy will be stucco coated.

Floor Plans

The previously approved plans depict a proposed convenience store with an open floor plan measuring 3,225 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0874:

Current Planning

- Per revised plans submitted on February 20, 2019;
- On western edge of the proposed development, mature landscaping to be installed in a 25 foot dense landscape buffer with 24 inch box evergreen trees (Mondell Pines), 12 feet high, planted 20 feet on center with shrubs;
- Landscape buffer of at least 15 feet to be maintained on the remainder of boundary between parcel and residential homes on the western border of the parcel;
- No car wash permitted;
- Any changes to the proposed development must be brought to the Enterprise Town Board and the Board of County Commissioners;
- All mechanical equipment on roofs to be screened;
- Color scheme of building elevations to match color schemes of residential homes west of the proposed development;
- Parking lot lighting to face downward;
- Signage shall be monument size;
- No music or sales announcements to be played outside of the buildings;
- The Air/Water Fill unit is to be located closest to Buffalo Drive or at least 185 feet away from the residential wall;
- No more than 6 fuel pumps to be installed;
- Outside sales (other than gas) such as fireworks sales, food trucks/carts, and similar are prohibited;
- Design review as a public hearing for significant changes to plans;
- Design review as a public hearing on final plans for the remaining portion of the project site;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Applicant shall install a median island on Buffalo Drive as approved by Public Works - Development Review;

- Right-of-way dedication to include up to 15 feet for Windmill Lane together with any additional right-of-way necessary for the spandrel with the correct back of curb radius and property line radius at the intersection of Windmill Lane and Buffalo Drive;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that plans must be in compliance with the Uniform Standard Drawings; and that the installation of detached sidewalks will require the dedication of right-of-way to back of curb, or vacation of right-of-way as necessary, 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.

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 #0633-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates that the design drawings are ready to submit to the Building Department and additional time is needed to get permits issued.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0485	Allowed alternative street landscaping and non-standard street improvements for a convenience store with gasoline station	Approved by BCC	December 2020
WC-20-400127 (UC-18-0874)	Waived a condition on a use permit requiring per revised plans	Approved by BCC	December 2020
TM-20-500167	1 lot commercial subdivision	Approved by BCC	December 2020
UC-18-0874	Convenience store with gasoline station	Approved by BCC	February 2019
VS-0085-12	Vacated and abandoned right-of-way (Mistral Avenue) and government patent easements – recorded	Approved by PC	April 2012
ZC-0964-08	Reclassified the project site from R-E to C-1 zoning for a future shopping center	Approved by BCC	February 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-2	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Residential High (8 du/ac to 18 du/ac)	R-3	Single family residential
West	Residential Medium (3 du/ac to 14 du/ac)	RUD	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff has no objection to this request and can support a 2 year extension as the applicant indicates the plans are ready to be submitted for permits.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until February 20, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: MK ARCHITECTURE
CONTACT: MK ARCHITECTURE, 50 E. SERENE AVE. #414, LAS VEGAS, NV 89123

DRAFT

04/21/21 BCC AGENDA SHEET

COMMERCIAL CENTER
(TITLE 30)

DECATUR BLVD/CC 215

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400029 (ZC-19-0020)-DECATUR COMMONS, LLC:

FIRST EXTENSION OF TIME USE PERMITS for the following: 1) retail sales as a principal use; 2) restaurants; 3) on-premises consumption of alcohol (tavern); and 4) future hotel. **WAIVER OF DEVELOPMENT STANDARDS** for alternative landscaping.

DESIGN REVIEW for a commercial retail center on 5.6 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the east side of Decatur Boulevard and the north side of the CC 215 within Enterprise (description on file). MN/lm/jd (For possible action)

RELATED INFORMATION:

APN:
177-06-113-002; 177-06-113-003

WAIVER OF DEVELOPMENT STANDARDS:
Allow a freeway buffer without a decorative wall where a decorative wall is required per Figure 30.64-4.

LAND USE PLAN:
ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
 - Site Acreage: 3.7 (zone change)/5.6 (commercial center)
- Project Type: Commercial retail center consisting of a tavern, 2 restaurant buildings, a retail building, and a future hotel
- Number of Stories: 1 (tavern, retail, and restaurants)/4 (future hotel)
- Height (feet): Up to 30
- Area: 14,300
- Required/Provided: 255/295

by the no mits,

ns depict a commercial retail center consisting of a proposed tavern, buildings, and a future hotel. The tavern is located on the

northwestern portion of the site and a coffee shop building is located south of the tavern. A retail building and a restaurant building are located on the southwestern portion of the site. The 3 retail/restaurant buildings have drive-thru lanes. A hotel is located on the eastern portion of the site (WS-19-0947). The parking is distributed throughout the site. The site has 1 driveway access on Decatur Boulevard to the west and 1 driveway access on Ullom Drive to the east. Access to the adjacent undeveloped parcel to the north is also provided should a compatible use develop on that site.

Landscaping

The previously approved plans depict a 15 foot wide landscape area with a detached sidewalk located along Decatur Boulevard and a 10 foot wide landscape area is located adjacent to an attached sidewalk along Ullom Drive. A 10 foot wide perimeter landscape area is located along the northern and eastern property lines. A 10 foot wide landscape area with trees spaced 40 feet apart and additional shrubs is located along the southern property line adjacent to the CC 215 off-ramp. No decorative wall will be provided as required by Code. Parking lot trees are distributed throughout the site in accordance with Figure 30.64-14. Additional landscaping is provided adjacent to the buildings. The landscape materials include trees, shrubs, and groundcover.

Elevations

The previously approved plans depict 4, single story buildings between 17 feet and 30 feet in height. Each of the buildings will have flat roofs with parapet walls and a similar façade consisting of a light sand stucco finish with contrasting colors and architectural enhancements such as architectural insets, pop-outs, reveals, fibron wood cladding, stone accents, and dual pane clear glazed doors and windows with aluminum frames.

Floor Plans

The previously approved plans depict the tavern is 4,000 square feet, the coffee shop is 2,300 square feet, the retail building is 4,000 square feet, and the other restaurant building is 4,000 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-19-0020:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing for the future hotel;
- Design review as a public hearing for lighting and signage;
- 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 and application for review; t' extension of time may be denied if the project has not commenced or there has been substantial work towards completion within the time specified; and that the use per

waiver of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Ullom Drive together with the portion of the cul-de-sac at the southern terminus of Ullom Drive.
- Applicant is advised that the driveway on Ullom Drive does not appear to meet the minimum requirements in Uniform Standard Drawing 222.1; and that installation of detached sidewalks may 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.

Department of Aviation

- Compliance with most recent recorded airport-related deed restrictions for APN 177-06-101-005;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0027-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates that the off-sites are under construction along with building permits for pad sites for the tavern (BD-20-14909 permit issued and under construction) and retail buildings

(drive-thru restaurant BD-20-42578 is in process). The developer has continued to diligently pursued construction of the project and requests 3 years to complete all building plan reviews, permitting process, and completion of the project.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0059	Increased height and size of signage with review of site lighting and signage	Approved by BCC	June 2020
WS-19-0947	Increased height and a design review for a hotel	Approved by BCC	January 2020
WS-19-0541	Alternative driveway standards and over-length cul-de-sac in conjunction with a commercial retail center	Approved by PC	September 2019
VS-19-0544	Vacated and abandoned government patent easements	Approved by PC	September 2019
TM-19-500140	Commercial subdivision	Approved by PC	September 2019
VS-19-0423	Vacated and abandoned a portion of right-of-way being Decatur Boulevard	Approved by PC	July 2019
ZC-19-0020	Reclassified 3.7 acres from R-E to M-D zoning, with a use permit for retail sales as a principal use, restaurants, on-premises consumption of alcohol, a future hotel; waivers for alternative landscaping without a decorative wall; and a design review for commercial retail center	Approved by BCC	March 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & C-2	Retail & undeveloped
South	Industrial	M-1	CC 215 & industrial complex
East	Business and Design/Research Park	P-F	State of Nevada maintenance yard
West	Business and Design/Research Park	C-2	Retail center & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the

subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff has no objections to this request with a 2 year time limit as part of the development is under construction and permits are in review.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until March 6, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TRISHA H. WEBER

CONTACT: CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

21A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>ZC-19-0020</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-21-400029</u> (ZC-19-0020) DATE FILED: <u>2/24/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENT</u> TAB/CAC DATE: <u>3/31/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/21/2021</u> FEE: <u>\$1200</u>
	PROPERTY OWNER NAME: <u>Decatur Commons, LLC</u> ADDRESS: <u>509 Hotel Plaza</u> CITY: <u>Boulder City</u> STATE: <u>NV</u> ZIP: <u>89005</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Trisha H. Weber</u> ADDRESS: <u>6445 Karms Park Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-858-1600</u> CELL: <u>N/A</u> E-MAIL: <u>Tweberlv@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-06-113-003 & 177-06-113-002

PROPERTY ADDRESS and/or CROSS STREETS: Decatur Blvd & 215

PROJECT DESCRIPTION: Extension of Time on resolution of intent date on March 06, 2019

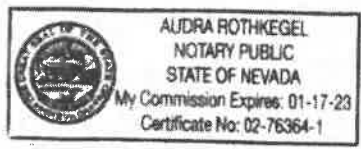
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature] Trisha Weber
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 8, 2021 (DATE)

By Audra Rothkegel
 NOTARY PUBLIC: Audra Rothkegel



*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

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) ZC-19-0020 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>Decatur Hotel Group, LLC</u> ADDRESS: <u>9115 W. Russell Road, Suite 210</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Trisha Weber</u> ADDRESS: <u>6445 Karns Park Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-858-1600</u> CELL: <u>N/A</u> E-MAIL: <u>Tweberlv@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-06-113-003 & 177-06-113-002

PROPERTY ADDRESS and/or CROSS STREETS: Decatur Blvd & 215

PROJECT DESCRIPTION: Extension of Time on resolution of intent date on March 06, 2019

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

Property Owner (Signature)* [Signature] Todd A Nigro
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 2-8-2021 (DATE)
By Todd A Nigro

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

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563
FACSIMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

February 9, 2021

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

**Re: Decatur Commons LLC, ET AL
Justification Letter - Extension of Time
Application Number: ZC-19-0020
Assessor's Parcel Number: 177-06-113-002, 177-06-113-003**

To Whom It May Concern:

On behalf of our client, Decatur Commons, LLC ET AL, please accept this request for an extension of time for a previously approved applications including Special Use Permits, Waivers of Development Standards and Design Reviews in conjunction with a conforming Zone Change (ZC-19-0020). The approved project consisted of a tavern, retail center and future hotel on 5.6 acres in an M-D zone. The application (ZC-19-0020) was originally approved on March 06, 2019 with two (2) years to complete the Special Use Permits, Waivers of Developments Standards and Design Reviews by March 06, 2021. The M-D zoning for the site is permanent and is reflected on the County's zoning maps but since the land uses approved are not competed this extension of time application is necessary to allow time to complete the project. This request is for a three (3) year extension of time to obtain all required building permits, commence and complete the project.

The off-sites for the entire site are under construction. A portion of the project (pad site "A" being the Tavern) is permitted per the issuance of BD20-14909 and is currently under construction. Building pad site "B" and the hotel site (Design Review approved under separate application by others) are under building permit review and the other building pad sites are in lease negotiations.

The information provided above demonstrates that the Applicants are diligently pursuing construction of the project. WS-20-0059 for signage and lighting was subsequently approved for the project in July 2020.

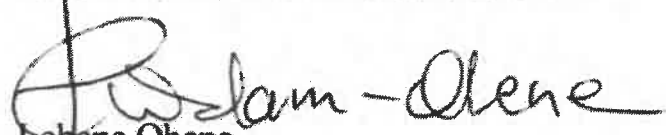
The request for a three (3) year extension of time is to ensure that there is enough time to allow for the completion of all building plan reviews and permitting process, issuance of the buildings to commence construction and completion of the project.

We appreciate your review and approval of the extension of time application as requested.

Please contact me if you have questions or concerns with the application.

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene
Land Use and Development Consultant

04/21/21 BCC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

RAINBOW BLVD/WINDMILL LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400030 (WS-18-0971)-HANWEN RAINBOW, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for modified driveway design standards.

DESIGN REVIEW for a proposed shopping center on 3.8 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Rainbow Boulevard and the south side of Windmill Lane within Enterprise. JJ/sd/jd

RELATED INFORMATION:

APN:
176-15-501-008

WAIVER OF DEVELOPMENT STANDARDS:
Allow a minimum 4.5 foot commercial driveway throat depth along a public street frontage where a 100 foot commercial driveway throat depth is required per Uniform Standard Drawing 222.1 (a 96% reduction).

LAND USE PLAN:
ENTERPRISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description

General Summary

- Site Address: 8105 S. Rainbow Boulevard
- Site Acreage: 3.8
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 30
- Square Feet: 32,365
- Parking Required/Provided: 162/164

Site Plans

The approved plans depict a 32,365 square foot shopping center consisting of a convenience store with gasoline pumps, and 2 inline retail buildings. The convenience store and gasoline pumps are located on the northern portion of the site. The inline buildings are located along the west and south perimeters of the site with parking shown in front of the buildings facing

Rainbow Boulevard. The nearest residential use is across Rainbow Boulevard, recently approved for a multiple family complex. The site has access to both Rainbow Boulevard and Windmill Lane. This request also includes a waiver of development standards to reduce driveway throat depth along Rainbow Boulevard and Windmill Lane. The largest reduction occurs on Rainbow Boulevard and is 4 feet, 6 inches. The other 2 driveways will have throat depths of 15 feet, 8 inches, and 33 feet, 3 inches respectively.

Landscaping

The approved plans depict a 15 foot wide to 25 foot wide landscape area with a detached sidewalk along Rainbow Boulevard and Windmill Lane. A 10 foot wide landscape area with trees shown every 20 feet is located along the west and south property lines. Interior parking lot trees are distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

Elevations

The approved buildings are 1 story, up to 30 feet high, and similar in design. Building materials consist of stucco finish, stone veneer accents, reveal bands, aluminum storefront windows, and tile roof elements. The fuel canopy is 19 feet high and will have similar colors and building materials.

Floor Plans

The convenience store has an area of 3,225 square feet consisting of customer service areas, a sales floor, storage areas, restrooms, and an office. The inline retail Building 2 is 22,945 square feet and inline retail Building 3 is 6,195 square feet. The plans indicate the buildings will be constructed with an open floor plan with areas that will be modified to meet the needs of future tenants.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-18-0971:

Current Planning

- Per revised 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

- Right-of-way dedication to include up to 15 feet for Windmill Lane together with any additional right-of-way necessary for the spandrel with the correct back of curb radius and property line radius at the intersection of Windmill Lane and Rainbow Boulevard.
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that right-of-way dedications may necessitate the vacation and rededication of various easements; that the bus turnout/right-turn lane shown on the plans does not comply with Uniform Standard Drawing 234.4; that the radius of the ingress side of the Windmill Lane driveway must be a minimum of 25 feet; that minimum driveway widths are measured from the lip of gutter to the lip of gutter; and that the installation of detached sidewalks will require the dedication of right-of-way to back of curb, or vacation of right-of-way as necessary 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.

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 #0734-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states that an extension of time is needed as the land use entitlement expires on February 6, 2021. So far architectural plans have been approved and the applicant is close to obtaining civil improvement plans.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0588	Vacated and abandoned easements	Approved by PC	March 2021
TM-19-500164	1 lot commercial subdivision	Approved by PC	September 2019
VS-19-0370	Vacated and abandoned government patent easements	Approved by PC	July 2019
WS-18-0971	Modified driveway design standards with a design review for a shopping center	Approved by BCC	February 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Convenience store & gasoline station
South	Public Facility	P-F	High school
East	Commercial General	R-4 & R-E	Multiple family & undeveloped
West	Public Facility	P-F	Metro substation

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

County records show the applicant has applied for grading permits, lighting permits, and commercial building permits, which are currently under review by the County. The applicant has been making progress in obtaining requisite approvals, therefore, staff can support an extension of time for 2 years.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until February 6, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time, and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MK ARCHITECTURE

CONTACT: MK ARCHITECTURE, 50 E. SERENE AVE. #414, LAS VEGAS, NV 89123

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

22A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

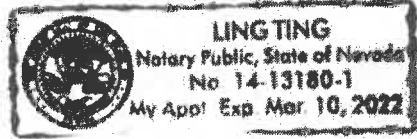
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) WS-18-0971 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>EX-21-400030</u> DATE FILED: <u>2/24/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>3/31/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/21/21</u> FEE: <u>\$ 300.00</u>
	PROPERTY OWNER	NAME: <u>HANWEN RAINBOW LLC</u> ADDRESS: <u>8105 S RAINBOW BLVD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: _____ CELL: <u>702-325-8599</u> E-MAIL: <u>minniqi@yahoo.com</u>
	APPLICANT	NAME: <u>MK ARCHITECTURE LLC</u> ADDRESS: <u>50 E. SERENE AVE #414</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-534-8166</u> CELL: _____ E-MAIL: <u>mk_arch@outlook.com</u> REF CONTACT ID #: <u>178704</u>
	CORRESPONDENT	NAME: <u>MAJED KHATER</u> ADDRESS: <u>50 E. SERENE AVE #414</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-534-8166</u> CELL: _____ E-MAIL: <u>mk_arch@outlook.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-15-501-008
 PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW AND WINDMILL
 PROJECT DESCRIPTION: SHOPPING CENTER

(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)* David Jiang
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 01-18-2021 (DATE)
 By David Jiang
 NOTARY PUBLIC LING TING



*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. Page 1 of 2

MK ARCHITECTURE, LLC

January 19, 2021

Ms. Nancy A. Amundsen, Director
Clark County Department of Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155

ET-21-400030

Re: Request for extension of time
WS-18-0971
APN: 176-15-501-008

Dear Ms. Amundsen,

The applicant Hanwen Rainbow LLC is requesting an extension of time for WS-18-0971. The entitlements will expire on February 6, 2021.

The County Building Department approved our Architectural plans, we are very close to attaining approval of the civil improvement plans. The Civil plans approval is taken longer than expected.

Your consideration of this request for an extension of time is greatly appreciated.

Sincerely,



Majed A. Khater, AIA
Architect

04/21/21 BCC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

UPDATE
BUFFALO DR/WIGWAM AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-20-0338-SANG TJIE GIOK:

HOLDOVER USE PERMITS for the following: 1) place of worship; 2) increased height of a place of worship; and 3) increased height of a freestanding sign.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; 2) driveway geometrics; and 3) departure distance.

DESIGN REVIEW for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone.

Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nr/jd (For possible action)

RELATED INFORMATION:

APN:
176-16-601-050

USE PERMITS:

1. Place of worship.
2. Increase the building height for a place of worship to 46 feet 4 inches where 35 feet is allowed per Table 30.40-1 (a 32.5% increase).
3. Increase the height of a freestanding sign to 35 feet where 28 feet high is permitted in the residential protection standards per Table 30.72-1 (a 25% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback for a freestanding sign to 8 feet 1 inch where 60 feet is required per Table 30.72-1 (an 86.5% decrease).
2. Reduce throat depth to 73 feet 10 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 51.3% reduction).
3. Reduce the departure distance to 183 feet 6 inches on Wigwam Avenue where 190 feet is required per Uniform Standard Drawing 222.1 (a 3.4% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Place of worship
- Number of Stories: 2
- Building Height (feet): 46 feet 4 inches
- Square Feet: 89,290
- Parking Required/Provided: 151/208

Site Plans

The plans show an 89,290 square foot, 2-story south facing place of worship building complex with monastery consisting of 2 buildings connected by internal hallways and associated parking area. The south portion of the building consists of an entry area which partially covers a drive aisle for patron drop-offs. The building complex is set back 93 feet 11 inches from the west property line, 58 feet 3 inches from the north property line, 15 feet 1 inch from the east property line, and 199 feet 5 inches from the south property line. A freestanding sign is located 27 feet 7 inches from the front property line, 8 feet 1 inch from the west property line, and is 35 feet high. Parking is located on the south, west and north sides of the building complex. Access to the site is from Wigwam Avenue with an additional emergency access with a crash gate on the north side of the property on Camero Avenue.

Landscaping

The plans depict landscaping per Title 30 requirements throughout the site. Detached sidewalks with landscaping on both sides is shown on Wigwam Avenue and Buffalo Drive. An attached sidewalk with 6 foot 11 inch wide street landscaping is located on Camero Avenue. An 8 foot wide landscape strip extends along the western border of the property. Landscaping is also located along the northern border and the western border of the building complex. Internal to the site within the parking area the parking lot landscaping complies with Figure 30.64-14. A 9 foot wide landscape area with trees and shrubs separates the main parking area from the drop-off area canopy and the entrance to the building complex. Landscaping is also proposed in the area between the connecting hallways between the buildings.

Elevations

The elevations show a south oriented place of worship building complex with monastery with an overall building height of 46 feet 4 inches high. The southern elevation depicts the multi-level overhanging grey tiled rooflines with decorative beams, decorative eaves, and roof ornaments. The exterior of the building will be an earth tone stucco finish with a red accent color on the columns. The south elevation shows 3 entrances with associated glass storefronts and grey tiled roof overhangs. The north and east elevations consists of grey tiles overhanging roof.

Floor Plans

The plans for the building complex show 2 levels. The first level on the south building consists of the main entrance with auditorium, various shops for residents, 2 dining rooms, lecture room, kitchen, restrooms, and office space. The northern building consists of a lobby, 43 monastery

living quarters, a kitchen, meeting rooms, restrooms, office space, coffee shop, and an open courtyard with a swimming pool and open landscaped area. The second level of the building consists of 82 monastery living quarters, several meeting rooms, restrooms, meditation room, and storage.

Signage

The plans show a 35 foot tall freestanding sign at the southern entrance to the property. The sign is constructed of red columns, beams with decor, roof accents, and an overhanging tile roof design which is consistent with the place of worship.

Applicant's Justification

The applicant indicates that the proposed place of worship with monastery is designed with the philosophy of the harmony of human and nature. The site design brings natural elements such as daylight, landscaping, fresh air, and wind into the building complex for balance. The applicant states that the proposed place of worship is compatible with the surrounding neighborhood and will enhance the area by providing a stable and desirable character. The applicant indicates that a neighborhood meeting was held on January 25, 2021 with 2 neighbors in attendance.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0015-15	Reduced lot size and setbacks for a 16 lot single family residential development - expired	Approved by PC	April 2015
TM-0005-15	16 lot single family residential development - expired	Approved by PC	April 2015
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	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped & approved 70 lot residential subdivision
South & East	Rural Neighborhood Preservation (up to 3 du/ac)	R-E (RNP-I)	undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the

applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

A place of worship with monastery requires consideration through a special use permit to ensure compatibility with existing or planned surrounding uses. Compatibility refers to characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, scale, mass, density, architecture, landscaping, hours of operation, and environmental impacts.

With appropriate building siting, required parking, and appropriate buffering, a place of worship can be consistent and compatible with residential neighborhoods in consideration of Title 30 and the Comprehensive Master Plan. Many places of worship have been approved and developed in Rural Neighborhood Preservation (RNP) areas with no adverse impacts to the community. Staff finds the establishment of a place of worship at this location is consistent with all Title 30 provisions, but has concerns regarding the site location, building design, the freestanding sign, and other elements of the project. Those concerns will be addressed with the design review portion of this request.

Staff can support the place of worship use for the following reasons: 1) the place of worship is near a collector street; 2) the building setbacks exceed Title 30 minimum requirements for the building complex; and 3) the required parking is being provided.

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.

Use Permits #2 & #3 and Waiver of Development Standards #1

The applicant is requesting to reduce the side setbacks, increase the overall height of a freestanding sign, and increase the height of a building in a residential area. Although the architectural design of the freestanding sign is consistent with the design of the building complex, the size and scale are not consistent with the surrounding area. The location of the sign, the setback reduction, and increased building height could have a negative impact on the surrounding area, and since staff cannot support the design review for the overall project, staff cannot support these requests.

Design Review

One of the major issues identified in the land use plan updates is the compatibility of new developments within or adjacent to RNP areas. It is essential that new developments are compatible and consistent with existing developed properties in the area. The considerations for compatibility may include design features related to existing and proposed developments, such

as, but not limited to bulk standards such as height, mass, density, and architecture. Compatibility refers to the sensitivity of development proposals in maintaining the character of existing areas. Bulk parameters located within the immediate area are used as a gauge in determining compatibility. These regulations define the relationship between the size and relationship of a building and its location while establishing regulations and standards for setbacks, height, lot size and coverage, density, and yard requirements.

Staff finds the plans depict building elevations, with corresponding bulk, design characteristics, and other architectural and aesthetic features, that are not harmonious and compatible with development in the area. The 2 story 89,290 square foot place of worship building with a maximum vertical height of 46 feet 4 inches is not sensitive to existing neighborhood character with regard to scale, use of materials, and bulk. The size and massing of the building far exceeds the scale and massing of the nearby residential buildings and does not further or maintain a consistent visual character of the residential character and pattern. The closest residential properties that have single family residential buildings range in size from approximately 3,500 square feet to about 4,800 square feet. The immediate area is within the RNP land use category.

Through the use of building placement, distribution of overall building area into smaller scale buildings more consistent with the residential character of the area, site design, and parking lot and street landscaping, the applicant could further minimize the visual dominance of the building and the overall site area. Therefore, staff finds the applicant has not established that the plans satisfy the criteria for approval of a design review and finds the following: 1) the proposed development is not compatible with adjacent development; 2) the applicant has not demonstrated compatibility with applicable community goals per Chapter 30.16.010, including complementing and enhancing the character of the neighborhood. Therefore, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff worked with the applicant on the throat depths for the Wigwam Avenue driveway. The applicant moved the entrance to the main parking area to extend the throat depth. This will help with traffic circulation on the site and prevent vehicles from stacking into the right-of-way. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

Waiver of Development Standards #3

Staff has no objection to the reduction in the distance from Buffalo Drive to the driveway on Wigwam Avenue. The driveway is located as far away from the intersection as the limited frontage will allow. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Buffalo Drive, 35 feet to the back of curb for Wigwam Avenue, 30 feet for Camero Avenue, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 that Fire Apparatus Access cannot be achieved at the Northwest corner of the building; a turnaround would be required at the end of the private dead end parking lot which is located towards the corner of Camero Avenue and Buffalo Drive; or change the location of the building to allow access per CCFD.

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 #0242-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS: 1 card
PROTESTS: 4 cards

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/21/21 – per the applicant.

APPLICANT: TJIE GIOK SANG
CONTACT: YIHONG LIU, YIHONG LIU + ASSOCIATES, 1669 HORIZON RIDGE PARKWAY, SUITE 120, HENDERSON, NV 89012

DRAFT



LAND USE APPLICATION 23AR

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (N2C) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>7/29/20</u> PLANNER ASSIGNED: <u>NR</u> ACCEPTED BY: _____ FEE: <u>\$1,825</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? _____ PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-20-0338</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>8/26</u> TIME: <u>6pm</u> PC MEETING DATE: <u>9/15/20 @ 7pm</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>R-E</u> PLANNED LAND USE: <u>RNP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>SANG TJIE GIOK</u> ADDRESS: <u>6650 ELDORA AVE</u> CITY: <u>las vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ FAX: _____ CELL: _____ E-MAIL: _____	
	APPLICANT	NAME: <u>SANG TJIE GIOK</u> ADDRESS: <u>6650 ELDORA AVE</u> CITY: <u>las vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ FAX: _____ CELL: _____ E-MAIL: _____	
	CORRESPONDENT	NAME: <u>Yihong Liu</u> ADDRESS: <u>1669 W. Horizon Ridge Parkway</u> <u>164751</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>702-321-9316</u> FAX: <u>702-946-0933</u> CELL: <u>702-3219316</u> E-MAIL: <u>yi@ylarchitecture.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-16-601-050

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo Dr and Wigwam Ave

PROJECT DESCRIPTION: Buddhist Temple at above referenced location

(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.


Tje Giok Sang - SANG TJIE GIOK -
 Property Owner (Signature)* Property Owner (Print)

STATE OF _____
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON 20th July 2020 (DATE)
 By - CIPTO SOEMARTO, JR. -

NOTARY PUBLIC: Medan - Sumatera Utara - Indonesia

Signature Of [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.

Page 1 of 7

REVISED

3/2/21
A

**CIVIL
ENGINEERING**

UC-20-0338

Yihong Liu

Yihong Liu + Associates

1669 Horizon Ridge Parkway

Henderson, NV 89012

February 28, 2021

Nicole Russell

Senior Planner

Comprehensive Planning Department

500 Grand Central parkway

Las Vegas, NV 89106

RE: APN 17616601050

Dear Ms. Russell,

Please accept this letter as our justification letter for a Design Review and Special Use Permit for a religion facility of Buddhist Temple located at referenced parcel number. The Special Use Permit should allow a small portion of retail space inside of the temple for supplies of the worship activities. The retail is not for public use without worship related activities.

The facility also have dorms for monks' short-term living area. This monastery has a portion of rooms offering accommodation to people for short-term retreat and long term stay over 30 days. Visitors observe the same silence meditation as the monks, eat the same vegetarian meals and take part in the worship services.

This project is facing Wigwam Avenue (80' ROW) and parallel on Buffalo Drive (100' ROW), and has detached 5' sidewalk with beyond code required trees along Buffalo: two rolls of trees 30' on center with effective 15' on center staggered(code requires trees two rolls of 40' on center with effective 20' on center staggered). The project is backing to the Camero Avenue which is a 60' right of way with 5' attached sidewalk.

The western property line is adjacent to a residential single family property and since our height is no more than 35', we do not need to have 3:1 slope setback requirement; however, the west side setback is 93'-11" to the property line which will be way under the 3:1 setback measured from the top of 6' wall. North setback is 56'-4" to Camero Ave; east setback is 13'-1" to Buffalo DR; and south setback is 199'-5" to Wigwam Ave.

The drive way curb cut on Wigwam Avenue is 183'-6" on the departure side. Since this will be the only curb cut along Wigwam, and we have already pushed the entrance to the furthest location on the property, so we respectfully request a waiver for this condition. The curb cut on Camero Avenue will be a crash gate and for fire truck access only, so we did not provide commercial full drive way entrance for this curb cut.

Another waiver request is the throat depth on the drive way entrance on Wigwam Ave. We have provided 73'-10" when 150' is required per County standard. Because of the limited site size and

parking lot space, bigger throat depth will post hardship to the parking payout and circulation on site. So we respectfully request a waiver for this.

This project is going to be a wood frame structure with contemporary Chinese design elements on the façade. The building is broken into two massing with 35' in height, and recess on the elevations will further segregate the building massing into smaller sections.

The design of the building is contemporary Chinese Temple architecture which is in the philosophy of the harmony of human and nature. The design includes two court yards and composed by two buildings on the site. The south building is the main temple building that contains the statue pavilion sitting in the middle as main functional element for this area. The northern building is connected with southern building by two hallways and a courtyard in between. The northern building has a courtyard on its own with swimming pool and patio area with landscape around. These courtyards will bring nature elements such as daylighting, landscape, fresh air, and wind into the building complex and balance the inside energy of the temple. There are total of two auditoriums in this project with different sizes and functions.

The design of the project will be compatible with the surrounding area. We have completed the neighborhood meeting and had a briefing meeting with commissioner on the design and we did not received any negative feedback on the project and the design. The design of the building will be very similar to the Crossing Church building next to our project with compatible massing, material, height, and style of the building. We will be smaller in size compare to the church and we will be a very quiet operation as a Buddhist temple.



Temple rendering



The Crossing Church on Windmill & Buffalo

The lighting will be internally lit within the project and will have cut off parking lot light along the west property line neighboring the residential use.

Total parking required: 199 spaces; Total parking provided 207 Spaces, with additional 2 motorcycle spaces (1 space counted toward to parking – 0.5% of total) and 4 bike rack spaces.

Owner is working on getting a surveyor to do the survey of the property and file the vacation application concurrent with this application.

We believe this development will be an enhancement and an asset to the area. We feel that the development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. We respectfully request approval. Please feel free to contact me with any questions you might have.

Yours truly,

Yihong Liu

Yihong Liu, Architect

President

Yihong Liu + Associates, LTD.

1669 Horizon Ridge Parkway, Suite 120

Henderson, NV 89012

Phone: 702-778-8711

Cell: 702-321-9316

parking lot space, bigger throat depth will post hardship to the parking payout and circulation on site. So we respectfully request a waiver for this.

We have an entry portal located at 22'-6" from property line along Wigwam, and 8'-1" away from the property line on the west. We respectfully request waivers for the location of this portal structure.

This project is going to be a wood frame structure with traditional Chinese design elements on the façade. The roof line is gently curved with Chinese decorative corners.

The design of the building is traditional Chinese Temple architecture which is in the philosophy of the harmony of human and nature. The design includes two court yards and composed by two buildings on the site. The south building is the main temple building that contains the statue pavilion sitting in the middle as dominant element for this area. The northern building is connected with southern building by two hallways and a courtyard in between. The northern building has a courtyard on its own with swimming pool and patio area with landscape around. These courtyards will bring nature elements such as daylighting, landscape, fresh air, and wind into the building complex and balance the inside energy of the temple. There are total of two auditoriums in this project with different sizes and functions.

The lighting will be internally lit within the project and will have cut off parking lot light along the west property line neighboring the residential use.

Total parking required: 199 spaces; Total parking provided 207 Spaces, with additional 2 motorcycle spaces (1 space counted toward to parking – 0.5% of total) and 4 bike rack spaces.

Owner is working on getting a surveyor to do the survey of the property and file the vacation application concurrent to this application.

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1669 Horizon Ridge Parkway, Suite 120

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Cell: 702-321-9316

Yihong Liu
Yihong Liu + Associates
1669 Horizon Ridge Parkway
Henderson, NV 89012

**CIVIL
ENGINEERING**
UC-20-0338

June 16, 2020

Nicole Russell
Senior Planner
Comprehensive Planning Department
500 Grand Central parkway
Las Vegas, NV 89106

RE: APN 17616601050

Dear Ms. Russell,

Please accept this letter as our justification letter for a Design Review and Special Use Permit for a religion facility of Buddhist Temple located at referenced parcel number. We are not proposing new zoning but we need a special use permit for the height of the statue pavilion being 65'-8" and building height being 37'-4" with a decorative roof portion at southeast corner being at 54'-8". Because of the roof pitch, the measurement of the building height becomes to the middle point of the roof ridge and roof eave, and this height is 37'-4". The Special Use Permit should allow a small portion of retail space inside of the temple for supplies of the worship activities.

This project is facing Wigwam Avenue (80' ROW) and parallel on Buffalo Drive (100' ROW), and has detached 5' sidewalk with trees two rolls of 40' on center with effective 20' on center staggered. The project is backing to the Camero Avenue which is a 60' right of way with 5' attached sidewalk.

The western property line is adjacent to a residential single family property and we have provided 3:1 slope because of the height of the temple. The west side setback is 93'-11" to the property line; north setback is 58'-3" to Camero Ave; east setback is 16'-7" to Buffalo DR; and south setback is 194'-5" to Wigwam Ave.

The drive way curb cut on Wigwam Avenue is 183'-6" on the departure side. Since this will be the only curb cut along Wigwam, and we have already pushed the entrance to the furthest location on the property, so we respectfully request a waiver for this condition. The curb cut on Camero Avenue will be a crash gate and for fire truck access only, so we did not provide commercial full drive way entrance for this curb cut.

Another waiver request is the throat depth on the drive way entrance on Wigwam Ave. We have provided 67'10" when 150' is required per County standard. Because of the limited site size and parking lot space, bigger throat depth will post hardship to the parking payout and circulation on site. So we respectfully request a waiver for this.

We have an entry portal located at 22'-6" from property line along Wigwam, and 8'-1" away from the property line on the west. We respectfully request waivers for the location of this portal structure.

This project is going to be a wood frame structure with traditional Chinese design elements on the façade. The roof line is gently curved with Chinese decorative corners. The statue pavilion is the tallest structure in the group and tops at 65'-8".

The design of the building is traditional Chinese Temple architecture which is in the philosophy of the harmony of human and nature. The design includes two court yards and composed by two buildings on the site. The main building is a U shape building that forms the large plaza courtyard with the statue pavilion sitting in the middle as dominant element for this area. The other smaller building complete the formation of the large courtyard and forms the smaller courtyard at the same time. Both courtyard will have trees and columned walkways along the sides. These courtyards will bring nature elements such as daylighting, landscape, fresh air, and wind into the building complex and balance the inside energy of the temple. There are total of three auditoriums in this projects with three different sizes and functions.

The lighting will be internally lit within the project and will have cut off parking lot light along the west property line neighboring the residential use.

Total parking required: 213 spaces; Total parking provided 214 Spaces, with additional 2 motorcycle spaces (1 space counted toward to parking – 0.5% of total) and 4 bike rack spaces.

Owner is working on getting a surveyor to do the survey of the property and file the vacation application concurrent to this application.

We believe this development will be an enhancement and an asset to the area. We feel that the development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. We respectfully request approval. Please feel free to contact me with any questions you might have.

Yours truly,



Yihong Liu

Yihong Liu, Architect
President

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1669 Horizon Ridge Parkway, Suite 120
Henderson, NV 89012
Phone: 702-778-8711
Cell: 702-321-9316

04/21/21 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT
(TITLE 30)

FORT APACHE RD/MOUNTAINS EDGE PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400026 (NZC-18-0287)-GREYSTONE NEVADA, LLC:

WAIVER OF CONDITIONS of a nonconforming zone change requiring that the project must meet Mountains Edge design guidelines and standards in conjunction with a single family, hillside development consisting of 220 single family residential lots on 41.9 acres in an R-2 (Medium Density Residential District) Zone.

Generally located on the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment) within Enterprise. JJ/sd/jd (For possible action)

RELATED INFORMATION:

APN:

176-30-601-003

LAND USE PLAN:

ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 9853 S. Fort Apache Road
- Site Acreage: 41.9 (portion)/285.2 (parcel)
- Number of Lots: 222 residential/9 common
- Density (du/ac): 5.3
- Minimum/Maximum Lot Size: 4,000/11,633
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 35
- Square Feet: 2,055 to 2,636
- Open Space Required/Provided: 0/6.4 acres

Site Plans

The approved plans depict a single family residential development consisting of 222 lots with a density of 5.3 dwelling units per acre. The site is a 41.9 acre portion of a 285.2 acre parcel that was purchased at auction from the Bureau of Land Management. The 41.9 acres is located on the southeastern portion of the parcel at the northwest corner of Fort Apache Road and

Mountains Edge Parkway (alignment). The approved plans depict the site being developed as 2 single family residential developments separated between the eastern and western portions of the site. Access to the development on the western portion of the site is provided from Mountains Edge Parkway, a public street that terminates in a radius cul-de-sac approximately 1,020 feet west of Fort Apache Road. Access to the eastern portion of the site is provide from Fort Apache Road. Access within the development is provided by 39 foot wide private streets with 5 foot wide sidewalks on 1 side of the streets. The northern and western portions of the site are located within a hillside area (slopes greater that 12%). A slope analysis indicates that approximately 418,327 square feet (9.6 acres) of the development is located within the hillside area, and 227,066 square feet (5.2 acres for 54.2%) of the hillside area will be disturbed. The plans depict 9 common element lots with a total area of approximately 6.4 acres. These common elements are located along Fort Apache Road and Mountains Edge Parkway, along the entrances to the development, and along the north and west sides of the site. The common elements along the west and north sides of the site are intended to reduce disturbance of the hillside areas. The plans depict 4 streets which terminate with a hammerhead cul-de-sac design and are within the eastern portion of the site.

Landscaping

The plans depict a minimum 15 foot wide landscape area with a detached sidewalk along Fort Apache Road. A minimum 15 foot wide landscape area is depicted within the Mountains Edge Parkway right-of-way with no on-site landscape area provided adjacent to Mountains Edge Parkway. Additional landscape areas are depicted at the entrances to the development. All the landscape areas consist of trees, shrubs, and groundcover.

Elevations

The plans depict 2 story residences with a maximum height of 35 feet. Each residence will have a pitched roof with concrete tile for roofing material. The exterior of the residences is a combination of stucco painted in earth tone colors with stone or brick veneer.

Floor Plans

The plans depict single family residences that are between 2,055 square feet to 2,636 square feet in area. Each residence will have a 2-car garage and options for 3 to 6 bedrooms.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-18-0287:

Current Planning

- Resolution of Intent to complete in 4 years;
- Per plans submitted on October 2, 2018;
- Submit an earth movement plan to staff prior to the issuance of building permits to show compliance with Title 30 Standards;
- Neighbors to be notified prior to major excavation activities;
- 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;
- 1 story homes only on Lots 105 through 223;

- Project must meet Mountains Edge design guidelines and standards;
- Permeon treatment and revegetation on cut slopes and hillsides;
- Design review as a public hearing for significant change to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of a design review for a final grading plan for the hillside area is required prior to building permits and subdivision mapping; 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;
- Pyle Avenue to be constructed to a 60 foot wide standard roadway with the extra 20 feet of dedication to accommodate a trail as approved by Public Works - Development Review Division;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road, 40 feet for Pyle Avenue the portion of the cul-de-sac at the western terminus of Pyle Avenue, and associated spandrels;
- If the project is gated, queuing analysis and/or gate/callbox location must be approved by Public Works - Development Review Division;
- Fire Department approval of over-length streets;
- Applicant shall apply for BLM right-of-way grants to allow minimum paving on all perimeter streets.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0071-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states that the condition of approval for the previously approved zone change (NZC-18-0287) that the "Project must meet Mountains Edge design guidelines and standards" is the subject of the application request to waive this condition. The applicant states that they are proposing a more modern design of the homes in lieu of desert colors and design. Apart from home elevations, Lennar will comply with Mountains Edge design guidelines.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-20-0573	Final grading plan for a hillside development	Approved by BCC	February 2021
WC-19-400090 (TM-18-500059)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
WC-19-400091 (NZC-18-0287)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
NZC-18-0287	Reclassified the site to R-2 zoning for a single family residential development	Approved by BCC	October 2018
VS-18-0641	Vacated and abandoned government patent easements - expired	Approved by BCC	October 2018
VS-18-0290	Vacated easements - expired	Approved by BCC	October 2018
TM-18-500059	159 single family residential lots and common lots	Approved by BCC	October 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac), Public Facilities, Residential Rural (up to 0.5 du/ac) & Residential Suburban (up to 8 du/ac)	R-E & R-2	Undeveloped
South	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac)	R-E	Undeveloped
East	Major Development Project	R-2	Single family residential
West	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac) & Public Facilities	R-E	Undeveloped & detention basin

This site and the abutting parcels to the north and east are in the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff recommends denial of the request to waive the conditions for "Project must meet Mountains Edge design guidelines". The goal is to create consistency with design standards in a master planned community. In addition, circumstances have not changed with the overall development since the original approval. The applicant has not provided elevations or renderings that show what is being proposed will not significantly alter the approved design.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS

If approved:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

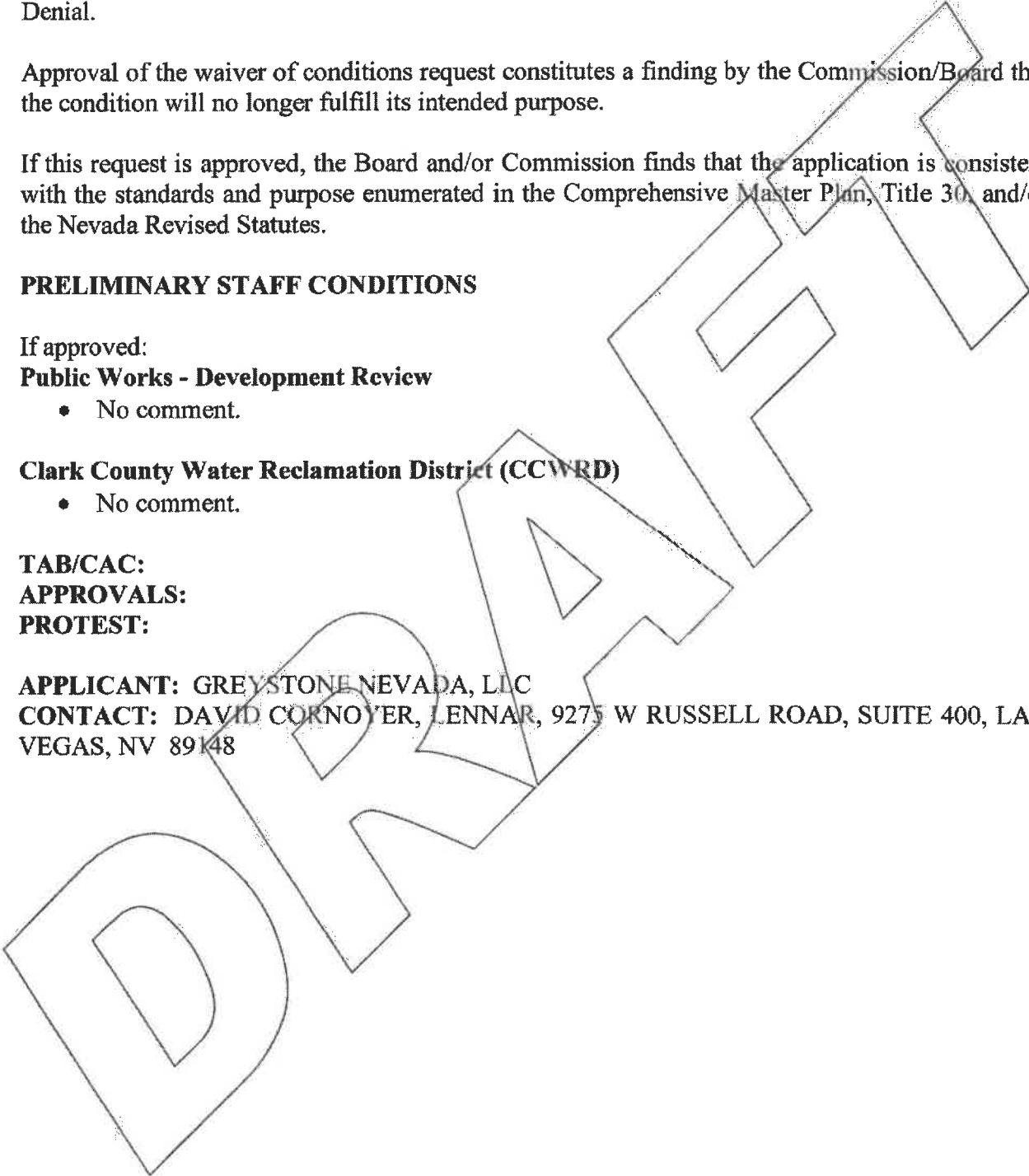
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: DAVID CORNOYER, LENNAR, 9275 W RUSSELL ROAD, SUITE 400, LAS VEGAS, NV 89148





LAND USE APPLICATION 24A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (N2C)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;"><u>NZC-18-0287</u></p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WC-21-400026</u> DATE FILED: <u>2/17/21</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/31/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>4/21/21</u></p> <p>FEE: <u>\$ 475</u></p>
	PROPERTY OWNER	<p>NAME: <u>Greystone Nevada, LLC</u></p> <p>ADDRESS: <u>700 N.W. 107th Avenue, Suite 400</u></p> <p>CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33172</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>David.Cornoyer@lennar.com</u></p>
	APPLICANT	<p>NAME: <u>Lennar Communities Nevada, LLC</u></p> <p>ADDRESS: <u>9275 West Russell Road, Suite 400</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>(702) 821-4683</u> CELL: _____</p> <p>E-MAIL: <u>David.Cornoyer@lennar.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Stephanie Allen - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: _____</p> <p>E-MAIL: <u>sha@kcnvlaw.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-30-601-003

PROPERTY ADDRESS and/or CROSS STREETS: Fort Apache/Mountains Edge Parkway

PROJECT DESCRIPTION: Waiver of conditions

(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.

ROBERT JOHNSON (AUTHORIZED AGENT)
 Property Owner (Signature)* Property Owner (Print)

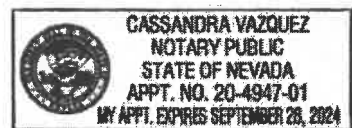
STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON DECEMBER 29, 2020 (DATE)

By ROBERT JOHNSON

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.

**WRITTEN CONSENT TO ACTION
BY SOLE MEMBER OF
GREYSTONE NEVADA, LLC**

SEPTEMBER 20, 2010

The undersigned, being the sole member of GREYSTONE NEVADA, LLC, a Delaware limited liability company (the "Company"), hereby consents, pursuant to the provisions of Section 18 of the Delaware Limited Liability Company Act, to the adoption of, and does hereby adopt, the following resolutions:

RESOLVED, that without limitation upon the power of the Sole Member by resolution to confer the same or similar authority upon other officers and individuals from time to time, and without limiting any authority otherwise conferred on the Sole Member, **Robert Johnson** shall have the power and authority in the name and on behalf of this Company to execute and deliver purchase and sale contracts between the Company and new home purchasers, deeds, settlement statements, affidavits, certificates, and any other necessary documents in connection with the Company's sale of homes to new homebuyers; and be it further

RESOLVED, that without limitation upon the power of the Sole Member by resolution to confer the same or similar authority upon other officers and individuals from time to time, and without limiting any authority otherwise conferred on the Sole Member, **Robert Johnson** shall have the power and authority in the name and on behalf of this Company to execute and deliver subdivision development agreements, purchase agreements, subcontractor agreements, bond agreements, utility agreements, permitting applications, and any other necessary documents in connection with the land development operations of the Company; and be it further

RESOLVED, that for the purpose of executing and delivering any and all instruments under the authority granted herein, **Robert Johnson** shall be and is hereby constituted an **Authorized Agent** of the Company and, any action taken or done pursuant to the authority herein granted shall be an act of the Company and binding upon it.

IN WITNESS WHEREOF, the undersigned has executed this Written Consent effective as of the date first written above.

SOLE MEMBER:

LENNAR PACIFIC PROPERTIES
MANAGEMENT, INC., a Delaware corporation

By: 
Mark Sustana, Vice President

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

STEPHANIE HARDIE ALLEN

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702.792.7045

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50 West Liberty Street
Suite 700
Reno, NV 89501
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Fax 775.327.2011

CARSON CITY OFFICE
810 West Fourth Street
Carson City, NV 89703
Tel. 775.884.8300
Fax 775.882.0257

January 22, 2021

VIA UPLOAD:

Clark County Comprehensive Planning
500 S. Grand Central, 1st Floor
Las Vegas, NV 89155

Re: Justification letter regarding Waiver of Condition for Approval of NZC-18-0287

To Whom It May Concern:

Our office represents the applicant, Lennar Homes, as it relates to the above matter. The application was approved by the Board of County Commissioners on October 3, 2018. Bullet number 7 on the Notice of Final Action stated "Project must meet Mountain's Edge design guidelines and standards". The applicant respectfully requests to waive this condition. The Mountain's Edge design guidelines require desert colors and designs. The applicant is proposing a more modern design of the homes as shown in the attached elevations. With the exception of the home elevations, Lennar will comply with the Mountain's Edge design guidelines.

If you have any questions, please do not hesitate to contact me or my Paralegal Lindsay Kaempfer at (702) 792-7000.

Very truly yours,

KAEMPFER CROWELL



Stephanie H. Allen

SHA/lak

REVISED 25R

04/21/21 BCC AGENDA SHEET

WALL HEIGHT
(TITLE 30)

RAINBOW BLVD/COUGAR AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0091-KB HOME LV SAGE GLEN, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase screen and retaining wall height in conjunction with a single family residential subdivision.

DESIGN REVIEW for increased retaining wall height on 24.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise. JJ/jgh/jd (For possible action)

RELATED INFORMATION:

APN:
176-15-701-022; 176-15-801-042

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase screen wall height to 8.7 feet where a maximum of 6 feet is permitted per Section 30.64.020 (a 45% increase).
- b. Increase combination of screen and retaining wall height to 14.7 feet (8.7 feet screen wall and 6 foot retaining) where a maximum of 12 feet (6 foot screen wall 6 foot retaining) is permitted per Section 30.64.050 (a 22% increase).

DESIGN REVIEW:

Significant changes to screen and retaining wall height on plans.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 24.8 (gross)/21.2 (net)
- Number of Lots/Units: 18 (this application)/169 (subdivision)
- Density (du/ac): 6.8
- Minimum/Maximum Lot Size (square feet): 3,325/7,325 (gross and net)
- Project Type: Single family residential subdivision

- Number of Stories: 1 & 2
- Building Height (feet): 16 to 29
- Square Feet: 1,455 to 3,066

Site Plan

The site plan depicts a single family residential subdivision. In a previously approved request (NZC-19-0982), the project site is shown as approximately 24.8 gross acres with 169 lots. Access is taken from Rainbow Boulevard adjacent to Ford Avenue. The current requests for waivers are to allow increases to the screen and combination screen and retaining wall heights which are located on the lots along Rainbow Boulevard (9 through 12 & 129 through 142), 2 lots on the northern cul-de-sac and 2 lots along Torino Avenue (128 & 129). The plans depict 3 walls ranging from 8.7 feet to 7.3 feet on top of a 6 foot retaining wall for a maximum total height of 14.7 feet.

Applicant's Justification

The applicant indicates that the request for the wall height increase is due to a Noise Assessment that has been performed for the walls along Rainbow Boulevard. As required by the assessment, the screen wall and retaining wall heights will need to be increased since they are along the perimeter of the subdivision. This wall request is intended to mitigate the normally unacceptable noise levels.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-0982	Reclassified 15 acres from R-E and R-E (RNP-D) to R-2 zoning with a design review for increased grade, and waiver for wall height on the western portion of the subdivision	Approved by BCC	March 2020
VS-19-0983	Vacated easements between Rainbow Boulevard and Montessori Street	Approved by BCC	March 2020
WC-19-400169 (ZC-18-0835)	Waived conditions of a zone change requiring right-of-way dedication and full off-site improvements	Approved by BCC	March 2020
TM-19-500266	169 residential lots	Approved by BCC	March 2020
ZC-18-0835	Reclassified 9.8 acres located in the southeast portion of the subject site to R-2 zoning for a 56 lot single family subdivision	Approved by BCC	December 2018
VS-18-0837	Vacated and abandoned easements and right-of-way on 2 parcels located in the southeast portion of the subject site	Approved by BCC	December 2018
ZC-1026-05	Reclassified approximately 3,800 parcels, some of which included the north and western portion of this subject site, to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I), R-E, & C-2	Charter school & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I) & C-2	Single family residential & undeveloped
East	Commercial General, Residential Suburban (up to 8 du/ac), & Office Professional	C-2 & R-2	Commercial retail complex & single family residential
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards & Design Review

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

The increased wall height is only for a portion of the site and is intended to help buffer any adjacent single-family residence from the noise generated by traffic and the surrounding commercial uses. The increased wall height is an appropriate buffer and is also consistent with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages, in part, appropriate buffers for single family residential developments. In addition, the design of the wall is appropriate and meets the standards outlined in Urban Specific Policy 16 of the Comprehensive Master Plan, which supports all new perimeter walls and fences being decorative; therefore, staff has no objection to this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KB HOME LV SAGE GLEN, LLC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE #100,
LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

25A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>KB Home LV Sage Glen, LLC</u> ADDRESS: <u>5795 Badura Avenue, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8400</u> CELL: _____ E-MAIL: <u>cbilbrey@kbhome.com</u>
	APPLICANT NAME: <u>KB Home LV Sage Glen, LLC</u> ADDRESS: <u>5795 Badura Avenue, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8400</u> CELL: _____ E-MAIL: <u>cbilbrey@kbhome.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5740 S. Arville St # 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-15-801-042 & 176-15-701-022

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow/Cougar

PROJECT DESCRIPTION: Residential Subdivision

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

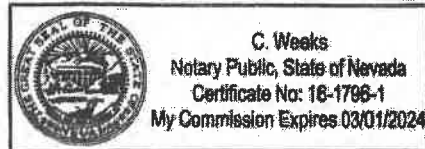
[Signature]
Property Owner (Signature)*

Brian Kuneč
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 01.22.2021 (DATE)

By BRIAN KUNEČ
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.

KBH1923-000

January 21, 2021

Jared Tasko
Clark County Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

**RE: Rainbow and Cougar (169 lot Subdivision)
Justification Letter for Waiver of Standards**

Dear Mr. Tasko:

Westwood, on behalf of the applicant, KB Home, respectfully submits this justification letter in support of a Waiver of Standards (WS) for the subject development.

Project Description

The project sites associated with the subject application, on the southwest corner of Rainbow Blvd. and Cougar Ave., are approximately 24.8± gross acres and covers APNs 176-15-701-017, -018, -021, -022, -030, 176-15-801-001, -006, -041, & -042. This development is located within a portion of Section 15, Township 22 South, Range 60 East, M.D.M., Clark County, Nevada.

Waiver of Standards

The project is being processed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 and CCAUSD for the project needed to develop the site and anticipated product.

1. Title 30 Section 30.64.020 – Fences and Walls

Standard: 6-foot screen walls.

Request: Allow 8.67-foot screen walls.

Justification: This request is intended for the eastern property line adjacent to or near to Rainbow Blvd. The waiver is being requested due a Noise Level Assessment that has been performed for the walls along Rainbow Blvd. As required by this assessment, the screen walls for Lots 9-12 & 129-142 will need to allow for increased screen wall heights up to 8.67-ft, required to mitigate the 'normally unacceptable' noise levels. A decorative screen wall will be provided per Title 30 requirements.

2. Title 30 Section 30.64.050(4)(C) – Site Landscape and Screening Standards

Standard: Screen & retaining walls shall not exceed a maximum height of 12 feet

Request: Increase maximum wall heights to 14.67-ft where needed.

Justification: This request is intended for the eastern property line adjacent to or near to Rainbow Blvd. The perimeter subdivision walls comply with the Alternative Standards; subsection (C)(iii) to allow for the 12-ft maximum. The waiver is being requested due a Noise Level Assessment that has been performed for the

walls along Rainbow Blvd. As required by this assessment, the screen walls for Lots 9-12 & 129-142 will need to allow for increased screen wall heights up to 8.67-ft, required to mitigate the 'normally unacceptable' noise levels. A decorative screen wall will be provided per Title 30 requirements.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES, INC.

A handwritten signature in black ink, appearing to read "Matt Key".

Matt Key
Project Manager

Cc: Paul Chao, KB Home;
Roxanne Leigh, WPS

