



ENTERPRISE TOWN ADVISORY BOARD

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

May 10, 2023
6:00pm

AGENDA

Note:

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

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

Barris Kaiser, Vice Chair
Chris Caluya

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

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

I. Call to Order, 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
JAMES B. GIBSON, Chair – JUSTIN C. JONES, Vice-Chair
MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
KEVIN SCHILLER, County Manager

- III. Approval of Minutes for April 26, 2023. (For possible action)
- IV. Approval of the Agenda for May 10, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **PA-23-700007-OLETA JONES 2.50, LLC:**
PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 2.3 acres. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise. JJ/gc (For possible action) **05/16/23 PC**
 - 2. **ZC-23-0149-OLETA JONES 2.50, LLC:**
ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) Zone to an M-1 (Light Manufacturing) Zone. **USE PERMIT** to allow offices as a principal use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) office building; and 2) warehouse building with outside storage yard. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise (description on file). JJ/al/syp (For possible action) **05/16/23 PC**
 - 3. **VS-23-0150-OLETA JONES 2.50, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue and Serene Avenue (alignment), and between Jones Boulevard and El Camino Road within Enterprise (description on file). JJ/al/syp (For possible action) **05/16/23 PC**
 - 4. **UC-23-0159-SRMF TOWN SQUARE OWNER, LLC:**
USE PERMIT for a recreational facility.
WAIVER OF DEVELOPMENT STANDARDS to encroach into air space.
DESIGN REVIEW for a recreational facility (professionally designed putting course) with a restaurant, bar, and outside playground area in conjunction with an existing shopping center on a portion of 94.4 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Sunset Road within Enterprise. MN/rk/syp (For possible action) **06/06/23 PC**

5. **WS-23-0121-LAGOON INVESTMENTS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a restaurant building with drive-thru services and retail building on a pad site within a shopping center on a 0.7 acre portion of a 5.5 acre shopping center in a C-2 (General Commercial) Zone. Generally located on the west side of Rainbow Boulevard, 320 feet north of Cactus Avenue within Enterprise. JJ/al/syp (For possible action) **06/06/23 PC**

6. **WS-23-0155- AMH NV 14 DEVELOPMENT, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) non-standard improvements in the right-of-way on 6.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Cactus Avenue and the west side of Mann Street within Enterprise. JJ/jud/syp (For possible action) **06/06/23 PC**

7. **DR-23-0169-BLUE DIAMOND M-E, LLC:**
DESIGN REVIEWS for the following: 1) drive-thru restaurant; and 2) finished grade on 1.2 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. JJ/sd/syp (For possible action) **06/07/23 BCC**

8. **ET-23-400032 (NZC-19-0903)-LMG LAS VEGAS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduce parking; 2) alternative driveway geometrics; and 3) reduce the setback for a proposed gate.
DESIGN REVIEW for a proposed outside storage yard in conjunction with an existing distribution center on 4.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the east and west side of Windy Street and the north side of Arby Avenue within Enterprise (description on file). MN/tpd/syp (For possible action) **06/07/23 BCC**

9. **ET-23-400037 (ZC-19-0949)-USA:**
WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME to reduce the width of right-of-way dedication.
DESIGN REVIEW for a public park with signage and lighting on 9.0 acres of a 22.5 acre site in a P-F (Public Facility) Zone. Generally located on the west side of Lindell Road and the south side of Le Baron Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action) **06/07/23 BCC**

10. **ZC-23-0163-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:**
ZONE CHANGE to reclassify 6.9 acres from an H-1 (Limited Resort and Apartment) Zone to a C-2 (General Commercial) Zone.
USE PERMITS for the following: 1) High Impact Project; 2) multiple family development; and 3) reduce the separation from on-premises consumption of alcohol establishments to a residential use (multiple family).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce the required number of loading spaces; 3) eliminate cross access; 4) alternative landscaping adjacent to a less intensive (multiple family) use; 5) eliminate street landscaping; 6) allow modified driveway design standards; and 7) allow non-standard improvements within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) mini-warehouse; 3) pharmacy; 4) restaurants with drive-thru; 5) multiple family development; and 6) finished grade on 28.1 acres in a C-2 (General Commercial) Zone and an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Pebble Road within Enterprise (description on file). MN/md/syp (For possible action) **06/07/23 BCC**

11. **VS-23-0164-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Pebble Road located between Las Vegas Boulevard South and Parvin Street (alignment) within Enterprise (description on file). MN/md/syp (For possible action) **06/07/23 BCC**
12. **TM-23-500044-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:**
TENTATIVE MAP for a mixed-use project consisting of 1 commercial lot and 1 residential lot on 28.1 acres in a C-2 (General Commercial) Zone and an H-1 (Limited Resort and Apartment) Zone for a High Impact Project. Generally located on the west side of Las Vegas Boulevard South and the south side of Pebble Road within Enterprise. MN/md/syp (For possible action) **06/07/23 BCC**
13. **WS-23-0181-SOUTHWEST MARKETPLACE STA, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEWS for the following: 1) health club; and 2) finished grade within an existing shopping center on a portion of 16.2 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Mesa Verde Lane within Enterprise. MN/rr/syp (For possible action) **06/07/23 BCC**

VII. General Business

1. Review tips for making a motion. (For discussion only)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: May 31, 2023.

X. Adjournment.

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

Windmill Library – 7060 W. Windmill Lane

Clark County Government Center – 500 S. Grand Central Pkwy

<https://notice.nv.gov>



Enterprise Town Advisory Board

April 26, 2023

MINUTES

Board Members	Justin Maffett, Chair PRESENT David Chestnut PRESENT Kaushal Shah PRESENT	Barris Kaiser, Vice Chair ABSENT Chris Caluya PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com PRESENT	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com PRESENT	

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

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

Lorna Phegley, Current Planning

II. Public Comment

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

- One resident began to speak on items 8-10, but was advised he could speak when those items are presented and heard by the board.

III. Approval of Minutes for April 12, 2023 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published for April 12, 2023.

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

IV. Approval of Agenda for April 26, 2023 and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended

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

Applicant requested holds:

1. PA-23-700007-OLETA JONES 2.50, LLC: Applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.
2. ZC-23-0149-OLETA JONES 2.50, LLC: Applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.
3. VS-23-0150-OLETA JONES 2.50, LLC: Applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.

Related applications to be heard together:

4. WS-23-0140-LJC PROPERTIES, LLC:
5. VS-23-0141-LJC PROPERTIES, LLC:
6. TM-23-500032-LJC PROPERTIES, LLC:

8. VS-23-0145- PN II, INC.:
9. WS-23-0144-PN II, INC.:
10. TM-23-500033-PN II, INC.:

11. ZC-23-0151-NV LAS DEC, LLC:
12. VS-23-0152-NV LAS DEC, LLC:
13. TM-23-500035-NV LAS DEC, LLC:

14. WS-23-0153-MOSAIC SEVEN LLC:
15. TM-23-500036-MOSAIC SEVEN LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - **Commissioner Michael Naft**
Presents Coffee and Conversation with special guest Assemblywoman Tracy Brown-May.

Lemon Tree Cafe and Market
April 29, 2023, 9:00 am to 10:00 am.
6111 S. Buffalo Drive, Suite 15,
Las Vegas, NV 89113
 - **First Tuesday Pool Safety**
Las Vegas Metropolitan Police Department
Enterprise Area Command
May 2nd, 2023, 6pm-7pm
Windmill Library, 7060 W Windmill Ln
Las Vegas, NV 89113

- **Commissioner Michael Naft invites you to Sneak Peek of the Silverado Ranch Community Center**
SAMPLE SOME OF WHAT YOUR NEW SILVERADO RANCH COMMUNITY CENTER WILL OFFER.

Cooking Demonstrations • Dance • Sports Skills and Drills
Football, Basketball, and Volleyball • Town Services •
Arts + Crafts • Teen Activities • Live Music • Martial Arts

May 20, 2023, 10am-12pm
Silverado Ranch Park
9855 Gilespe St., Las Vegas 89183
For More Information: Call 702-455-6514

- **Nevada Child Care Fund**
Even if you've applied for financial assistance before, please try again. Eligibility for childcare financial assistance has expanded due to the Nevada Child Care Fund, so you might be eligible for support now.
Complete information is contained on the handout on the sign in table.
Learn More at NevadaChildCareFund.org
- Basin and Range National Monument to host Bioblitz June 2-3
ELY, Nev. – The Bureau of Land Management's Basin and Range National Monument seeks volunteers to participate in a plant and animal Bioblitz scheduled Friday and Saturday, June 2-3, 2023.

A Bioblitz is a citizen-science effort to record and identify plant and/or animal species within a designated area in a short time. Botanical and/or wildlife experience is not needed to participate. Scientist and Naturalist group leaders will be provided.

Monument Manager Alicia Styles said data collected this June will help in future planning actions. "It will help to focus inventory and monitoring efforts, refine habitat models, and ensure proper care and management of plant and animal species listed in the 2015 proclamation," Styles said.

Inventories will be conducted across different habitats within the northwestern portion of the Monument making a high clearance, four-wheel drive vehicle necessary. Water, food, and other supplies are the responsibility of the volunteer. There are no facilities, electrical hookups, or cell service within the Monument. For more information, go to <https://on.doi.gov/3TOYvoR>

VI. Planning & Zoning

1. **PA-23-700007-OLETA JONES 2.50, LLC:**
PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 2.3 acres. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise. JJ/gc (For possible action) **05/16/23 PC**

The applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.

2. **ZC-23-0149-OLETA JONES 2.50, LLC:**
ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) Zone to an M-1 (Light Manufacturing) Zone.
USE PERMIT to allow offices as a principal use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) office building; and 2) warehouse building with outside storage yard. Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise (description on file). JJ/al/syp (For possible action) **05/16/23 PC**

The applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.

3. **VS-23-0150-OLETA JONES 2.50, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue and Serene Avenue (alignment), and between Jones Boulevard and El Camino Road within Enterprise (description on file). JJ/al/syp (For possible action) **05/16/23 PC**

The applicant requested a **HOLD** to the Enterprise TAB meeting on May 10, 2023.

4. **WS-23-0140-LJC PROPERTIES, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for street landscaping.
DESIGN REVIEW for a single family residential development on 4.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Buffalo Drive and the north side of Torino Avenue within Enterprise. JJ/md/syp (For possible action) **05/16/23 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

5. **VS-23-0141-LJC PROPERTIES, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Ford Avenue and Torino Avenue, and between Buffalo Drive and Jerlyn Street; and a portion of right-of-way being Buffalo Drive located between Ford Avenue and Torino Avenue within Enterprise (description on file). JJ/md/syp (For possible action) **05/16/23 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

6. **TM-23-500032-LJC PROPERTIES, LLC:**
TENTATIVE MAP consisting of 8 lots and common lots on 4.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Buffalo Drive and the north side of Torino Avenue within Enterprise. JJ/md/syp (For possible action) **05/16/23 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

7. **WS-23-0078-BLUE DIAMOND RETAIL PARTNERS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase the number of freestanding signs. **DESIGN REVIEW** for a freestanding sign in conjunction with a proposed retail center on a portion of 4.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road and the east side of Durango Drive within Enterprise. JJ/hw/syp (For possible action) **05/16/23 PC**

Motion by Justin Maffett
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

8. **VS-23-0145- PN II, INC.:**
VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Rogers Street and Schirlls Street within Enterprise (description on file). MN/md/syp (For possible action) **05/17/23 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

9. **WS-23-0144-PN II, INC.:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; and 2) allow non-standard improvements within the right-of-way. **DESIGN REVIEWS** for the following: 1) single family residential development; and 2) finished grade on 9.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Warm Springs Road and the west side of Schirlls Street within Enterprise. MN/md/syp (For possible action) **05/17/23 BCC**

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

- Terrace and landscape any combination of retaining and decorative wall over 9 ft adjacent to public right of way
- Decorative wall along Schirlls St to be 4 feet of block and 2 feet of wrought iron
- Add asphalt path along Schirlls St and Arby Ave

Per staff conditions.
Motion **PASSED** (3-1) / Caluya-Nay

10. **TM-23-500033-PN II, INC.:**
TENTATIVE MAP consisting of 16 lots and common lots on 9.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Warm Springs Road and the west side of Schirlls Street within Enterprise. MN/md/syp (For possible action) **05/17/23 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-0) /Unanimous

11. **ZC-23-0151-NV LAS DEC, LLC:**

ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone.

USE PERMITS for the following: 1) eliminate trash enclosure; and 2) electric substation. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a non-subdued exterior accent color; 2) allow horizontal rooflines without architectural articulation; 3) increase wall height; 4) allow monotonous block walls; 5) allow ground mounted up-lighting; 6) allow alternative street landscaping (no trees); 7) signage; and 8) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) modifications to a previously approved data center that included a communications tower; 2) electric substation; 3) signage; and 4) finished grade on 30.0 acres in an M-D (Designed Manufacturing) (AE-60) Zone and an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the west side of Jones Boulevard and the north side of Maule Avenue within Enterprise (description on file). MN/md/syp (For possible action) **05/17/23 BCC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

12. **VS-23-0152-NV LAS DEC, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Jones Boulevard and Torrey Pines Drive, and between Maule Avenue and Roy Horn Way; a portion of a right-of-way being Bronco Street located between Maule Avenue and Roy Horn Way; and a portion of right-of-way being Pama Lane located between Jones Boulevard and Torrey Pines Drive within Enterprise (description on file). MN/md/syp (For possible action) **05/17/23 BCC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

13. **TM-23-500035-NV LAS DEC, LLC:**

TENTATIVE MAP consisting of 1 industrial lot and common lots on 30.0 acres in an M-D (Designed Manufacturing) (AE-60) Zone and an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the west side of Jones Boulevard and the north side of Maule Avenue within Enterprise. MN/md/syp (For possible action) **05/17/23 BCC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

14. **WS-23-0153-MOSAIC SEVEN LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEW for finished grade in conjunction with an approved single family residential subdivision on 7.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Richmar Avenue, approximately 275 feet west of Rainbow Boulevard within Enterprise. JJ/hw/syp (For possible action) **05/17/23 BCC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning Conditions:

- Terrace and landscape any combination of retaining and decorative wall over 9 ft adjacent to public right of way.
Lot 3 southern boundary retaining and decorative wall not to exceed 9 ft.

Per staff conditions

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

15. **TM-23-500036-MOSAIC SEVEN LLC:**
TENTATIVE MAP consisting of 13 single family residential lots and 1 common lot on 7.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Richmar Avenue, approximately 275 feet west of Rainbow Boulevard within Enterprise. JJ/hw/syp (For possible action) **05/17/23 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

16. **WS-23-0134-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
WAIVER OF DEVELOPMENT STANDARDS to allow roof signs.
DESIGN REVIEW for modifications to an approved comprehensive sign package in conjunction with an existing convenience store development on 1.4 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Las Vegas Boulevard South and the north side of Cactus Avenue within Enterprise. MN/hw/syp (For possible action) **05/17/23 BCC**

Motion by Chris Caluya

Action: **APPROVE** per staff conditions

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

VII. General Business:

1. None.

VIII. Public Comment:

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

- A citizen commented on the following:
 - Appreciated that the TAB listened to the residents and their concerns.
 - Appreciated the TAB sought to mitigate a project's impact on the residents.

- A TAB member asked "How to Make a Motion" be brought as a general business item

IX. Next Meeting Date

The next regular meeting will be May 10, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett

Action: **ADJOURN** meeting at 7:28 p.m.

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

05/16/23 PC AGENDA SHEET

PLAN AMENDMENT
(TITLE 30)

OLETA AVE/JONES BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
PA-23-700007-OLETA JONES 2.50, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Industrial Employment (IE) on 2.3 acres.

Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise. JJ/gc (For possible action)

RELATED INFORMATION:

APN:
176-23-601-013

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.3

Applicant's Justification

The applicant states the request is consistent with the surrounding area. Properties to the north, east, and west contain industrial uses. Farther to the south is a sand and gravel facility with a concrete and asphalt batch plant. Therefore, the surrounding uses would be compatible with the Industrial Employment (IE) land use designation that is proposed for this site. Furthermore, the applicant states the site is adjacent to the Union Pacific Railroad Line and the Arden Railyard which are uses consistent with the Industrial Employment land use designation. The proposed amendment will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Union Pacific office building & crew change facility
South & West	Open Lands	R-E	Undeveloped

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
East	Business Employment	M-1	Convenience store, car wash, & gasoline station

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

Related Applications

Application Number	Request
ZC-23-0149	A zone change request from R-E to M-1 zoning, use permit to allow office as a principal use, waiver of development standards for landscaping and driveway geometrics, and design reviews for an office building and a warehouse building with outside storage yard is a companion item on this agenda.
VS-23-0150	A request to vacate and abandon government patent easements is a companion item on this agenda.

STANDARDS FOR ADOPTION:

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

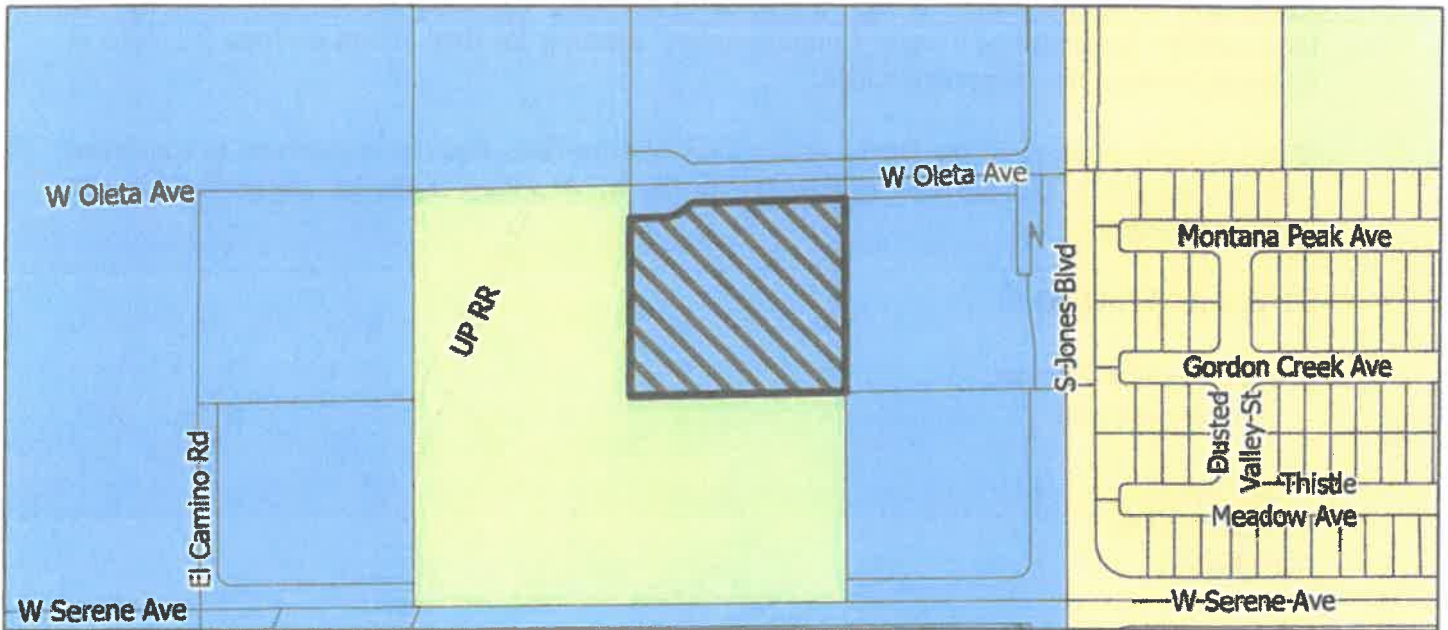
Analysis

Comprehensive Planning

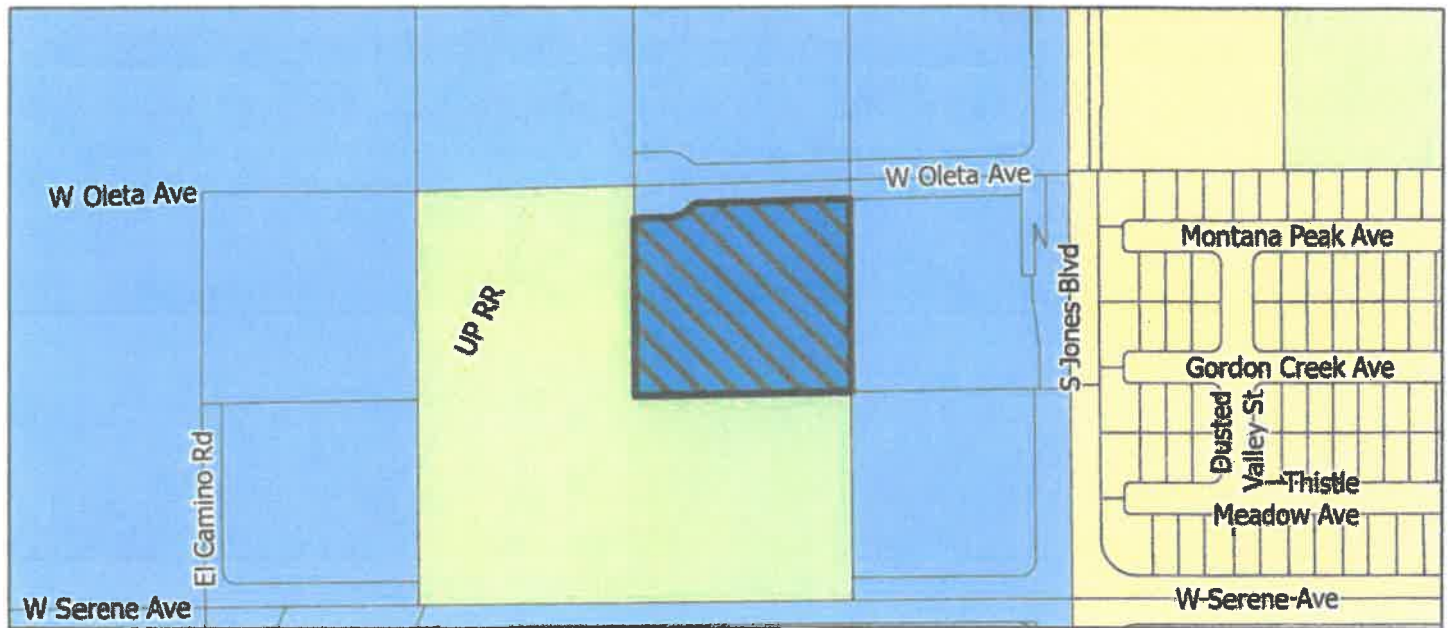
The applicant requests a change from Business Employment (BE) to Industrial Employment (IE). Intended primary land uses in the proposed Industrial Employment land use designation include manufacturing and heavy industry. Supporting land uses include manager's office or residence and other supporting uses.

Staff finds the request for the Industrial Employment (IE) land use designation appropriate for this location. The adjacent properties to the north and east along Jones Boulevard are zoned M-1 which is conforming to the Industrial Employment land use designation. Although some of the uses within the M-1 zoned parcels to the east are more commercial in nature such as the Dotty's Casino and convenience store/gas station, those uses provide an appropriate buffer and transition from the Industrial Employment land use designation proposed on this site to the residential subdivisions on the east side of Jones Boulevard. The M-1 zoned parcel to the southeast is developed with outside storage which is consistent with the uses allowed and intended in the Industrial Employment land use designation on the subject site. The Industrial Employment land use designation is also appropriate for this site since it is adjacent to the Union Pacific Railroad and the Arden Railyard to the west. The parcel to the south and west is designated with an Open Lands (OL) land use designation. The designation was due to the parcel being owned by the Bureau of Land Management and with future intended uses unknown. However, the parcel was recently sold to the Las Vegas Paving Corporation in 2020 which operates the sand and gravel/concrete batch plant facility farther south. The request complies with Goal EN-5 and Policy EN-5.1 of the Master Plan which promotes protecting the viability of industrial and employment areas within Enterprise, and supports the retention and expansion of light-industrial and employment areas in the Arden area of Enterprise, respectively.

Planned Land Use Amendment PA-23-700007



Current



Requested

- Neighborhoods**
- Outlying Neighborhood (ON)
 - Edge Neighborhood (EN)
 - Ranch Estate Neighborhood (RN)
 - Low-Intensity Suburban Neighborhood (LN)
 - Mid-Intensity Suburban Neighborhood (MN)
 - Compact Neighborhood (CN)
 - Urban Neighborhood (UN)
- Employment**
- Business Employment (BE)
 - Industrial Employment (IE)

- Commercial and Mixed Use**
- Neighborhood Commercial (NC)
 - Corridor Mixed-Use (CM)
 - Entertainment Mixed-Use (EM)

- Other**
- Agriculture (AG)
 - Open Lands (OL)
 - Public Use (PU)
 - Major Projects (MP)

Requested Area To Change

Planning Areas

Enterprise Clark County, Nevada

DRAFT

Note: Categories denoted in the legend may not apply to the presented area.



Staff Recommendation

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 21, 2023 at 9:00 a.m., unless otherwise announced.

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

STAFF ADVISORIES:

Fire Prevention Bureau

- No comment.

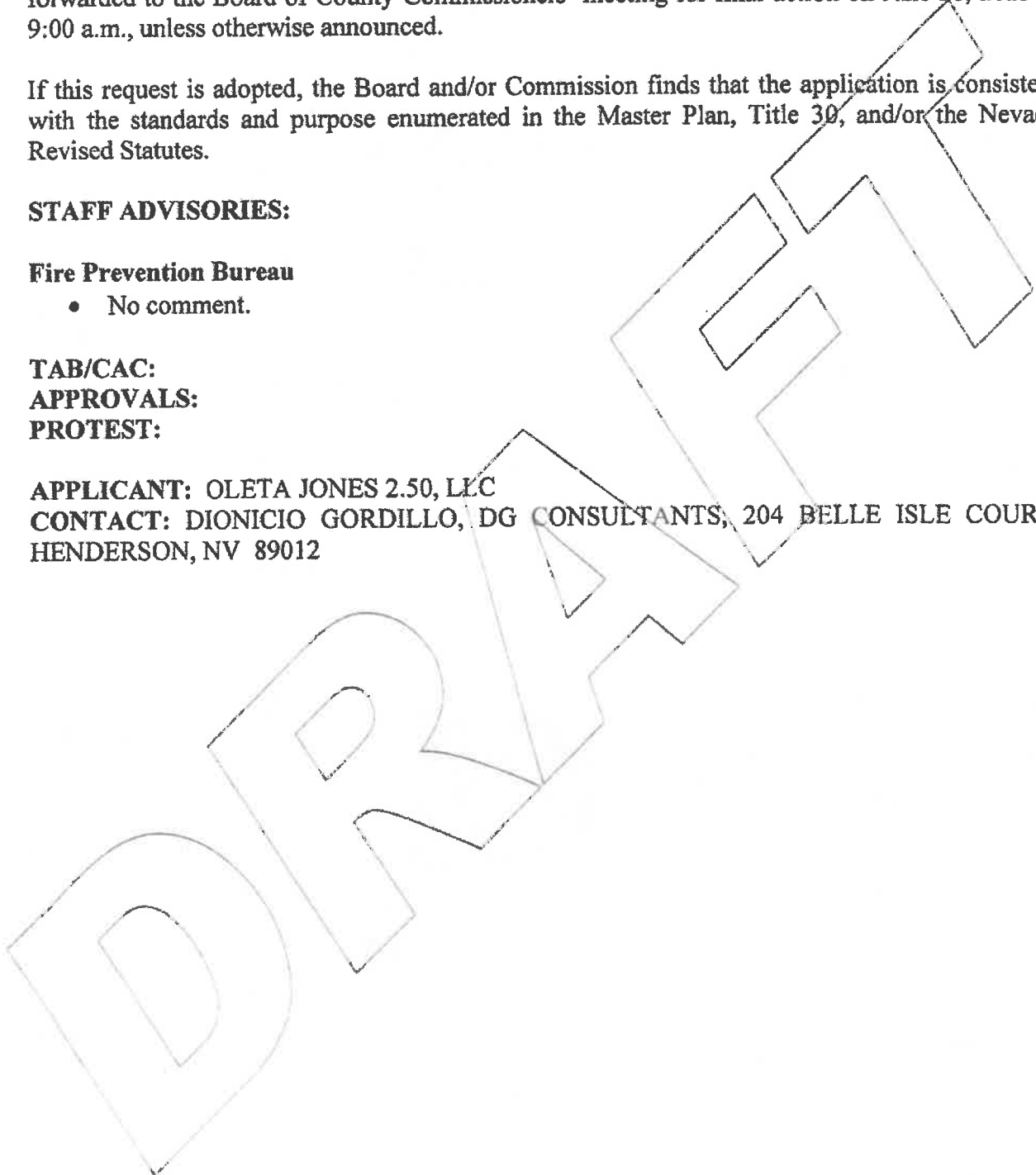
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: OLETA JONES 2.50, LLC

CONTACT: DIONICIO GORDILLO, DG CONSULTANTS, 204 BELLE ISLE COURT,
HENDERSON, NV 89012





MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

1A

APPLICATION TYPE <input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC MTG DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ TRAILS? Yes <input type="checkbox"/> No <input type="checkbox"/> FEE: _____	
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PROPERTY OWNER	NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 788-8429</u> CELL: <u>(702) 788-8429</u> E-MAIL: <u>christine@jlv.com</u> REF CONTACT ID #: <u>N/A</u>
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APPLICANT	NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>
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CORRESPONDENT	NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-23-601-013

CURRENT LAND USE PLAN DESIGNATION: Business Employment (BE)

REQUESTED LAND USE PLAN DESIGNATION: Industrial Employment (IE)

PROPERTY ADDRESS and/or CROSS STREETS: Jones Boulevard and Oleta Avenue

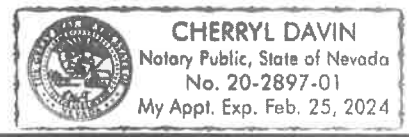
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON OCTOBER 27, 2022 (DATE)
 By JOEL LAUB

NOTARY PUBLIC: Cheryl Davin



*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.

D G Consultants

November 5, 2022

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

RE: Master Plan Amendment to Industrial Employment (IE) (APN: 176-23-601-013)

On behalf of Oleta Jones 2.50, LLC, we are requesting a master plan amendment from Business Employment (BE) to Industrial Employment (IE) for the purpose of rezoning the property to M-1 zoning. The M-1 (Light Manufacturing) District is established to provide areas suitable for the development of light manufacturing establishments. The subject site is 2.3 acres, zoned R-E, and located on the south side of Oleta Avenue, approximately 350 feet west of Jones Boulevard.

Industrial Employment is an employment land use category that supports opportunities for different types and intensities of office, industrial, manufacturing, and warehouse/distribution, as well as supporting commercial. While current Business Employment (BE) also provides for similar uses and functions, the intent of the BE category is to allow less intense industrial uses and more specifically restricting outside storage as a principal use. This request is accompanied by a land use application with a specific project for an office/warehouse development with outside storage for an underground utility contractor.

The context of the site's location justifies this request. The site is surrounded by Employment and Open Land categories, M-1 zoned properties to the north, east, south, and west. Immediately to the west is the Union Pacific Railroad and approximately 300 feet to the south is a sand and gravel facility with a concrete and asphalt batch plant on 160 acres. Therefore, the request is entirely consistent and compatible with the immediate area.

The request is entirely consistent with Goal EN-5 which furthers the protection of industrial and employment areas in Enterprise. Additionally, the site is immediately contiguous to Arden and therefore, the request is compliant and furthers Policy EN-5.1 which supports, in part, the expansion of light industrial and employment uses in the Arden area. In fact, the Union Pacific Railroad Arden Yard office is directly across the street from this site and is zoned M-1 which under the land use categories would require Industrial Employment (IE).

Therefore, the proposed land use category will achieve the following: **a)** the proposed amendment is in harmony with the purpose, goals, policy statements, and objectives of the Clark County Master Plan and Title 30; **b)** the proposed amendment will not have substantial or undue adverse effects on adjacent properties, character of the area, traffic conditions, public improvements, general prosperity, or other matters affecting the public health, safety, and general welfare; and **c)** the proposed amendment will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,



STORAGE YARD
(TITLE 30)

OLETA AVE/JONES BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0149-OLETA JONES 2.50, LLC:

ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) Zone to an M-1 (Light Manufacturing) Zone.

USE PERMIT to allow offices as a principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) office building; and 2) warehouse building with outside storage yard.

Generally located on the south side of Oleta Avenue, 300 feet west of Jones Boulevard within Enterprise (description on file). JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:
176-23-601-013

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive parking lot landscaping where landscaping is required per Figure 30.64-14.
2. a. Reduce driveway throat depth to 20 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 20% reduction).
- b. Permit a commercial pan driveway per Uniform Standard Drawing 224 where a commercial driveway is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:
ENTERPRISE - PROPOSED BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.3
- Project Type: Office building, warehouse, and contractor storage yard
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 5,455 (office)/7,372 (warehouse)

- Parking Required/Provided: 38/38

Site Plans

The plans depict a facility for an underground utilities contractor consisting of an office building for the administration of the company, a warehouse building, and an outside storage yard. Access to the site is provided from Oleta Avenue by 2 driveways located on the northeast and northwest corners of the site. The warehouse building is located in the central portion of the site with the office building on the central portion of the northern half of the site. The outside storage yard is located along the western and southern boundaries of the site covering an area of 28,000 square feet. The office building is set back 30 feet from Oleta Avenue and the warehouse building is located 46 feet south of the office building. The buildings will be set back a minimum of 84 feet from the east property line, and 129 feet from the west property line. The warehouse building is set back 125 feet from the south property line. Parking for the facility is located along the eastern boundary of the site and on the east and west sides of the office building. The plan shows swing gates located at the entrances to the site set back a minimum of 30 feet from the property lines and will be open during business hours. An 8 foot high split-face concrete block wall is depicted along the east, west, and south property lines. A decorative fence consisting of split-face concrete block and wrought iron is located along Oleta Avenue set back a minimum of 15 feet from the property line.

Landscaping

A minimum 15 foot wide landscape area consisting of trees, shrubs, and groundcover is located along Oleta Avenue between the existing attached sidewalk and the decorative fence. There are additional landscaped areas consisting of trees, shrubs, and groundcover located in landscaped islands in the parking areas to the east and west of the office building and adjacent to the office building. Based on the number of parking spaces provided for the development the site is short 2 large trees or 3 medium trees for the required number of trees within the parking areas per Figure 30.64-14.

Elevations

The warehouse building is 2 stories with a height of 30 feet. The building has a flat roof behind a parapet wall and the exterior of the building is constructed of split-face concrete block. There is an external staircase on the east side of the building to provide access to the second floor. There are 4 roll-up doors each on the north and south sides of the building.

The office building is 2 stories with a maximum height of 32 feet. The building has a combination flat roof behind a parapet wall and pitched roof elements with standing seam metal roofing material. The majority of the building is 26 feet in height, which is the top of the parapet wall around the flat roof areas. The highest portion of the building is a pitched roof element on the east side of the building over the entrance to the building. There is an external staircase on the west side of the building that provides access to a balcony on the north and west sides of the second floor. The exterior of the building is a combination of a stucco finish painted in earth tone colors and stone veneer.

Floor Plan

The warehouse building has 2 stories with an area of 7,372 square feet. The second floor has an area of 1,624 square feet which is office space. The first floor has an area of 5,748 square feet consisting of a locker area, restroom, equipment repair area, welding shop, and storage areas. The office building has 2 stories with an area of 5,455 square feet. The second floor has an area of 1,098 square feet consisting of offices, a conference room, restroom, and storage areas. The first floor has an area of 4,357 square feet consisting of a lobby/reception area, offices, conference room, breakroom, restrooms, computer room, and file room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the existing developments to the north, east, and southeast are zoned M-1 so the proposed reclassification of the site to M-1 is consistent with the existing zoning in the area. To the north is an office facility in an M-1 zone for the Union Pacific Railroad, so office uses in an M-1 zone at the subject site would be consistent and compatible with existing uses in this area. The proposed use of the site is consistent and compatible with the existing adjacent developments. The waiver for parking lot landscaping is only for a portion of the site, specifically parking spaces along the eastern property line. These spaces are designed for commercial vehicles which are more difficult to maneuver and landscaping in this area would not be conducive to parking these vehicles. Landscaping will be provided for the parking areas that are adjacent to the office building. Oleta Avenue is a local street with limited traffic. The requested alternative standards for the driveway designs will have minimal site conflicts that will not result in stacking for vehicles within the right-of-way.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Union Pacific office building & crew change facility
South & West	Open lands	R-E	Undeveloped
East	Business Employment	M-1	Convenience store, car wash, & gasoline station

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

Related Applications

Application Number	Request
PA-23-700007	Master Plan Amendment to redesignate the site from Business Employment (BE) to Industrial Employment (IE) is a companion item on this agenda.
VS-23-0150	A request to vacate and abandon 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

Comprehensive Planning

Zone Change

There are existing developments adjacent to the site that are in the M-1 zoning district; therefore, reclassifying the site to an M-1 zone would be consistent and compatible with existing developments in the area. This request complies with Goal EN-5 of the Master Plan to protect the viability of industrial and employment areas within Enterprise. This site is contiguous to the Arden area and the approval of this request furthers Policy EN-5.1 to support the retention and expansion of light-industrial and employment uses in the Arden area of Enterprise. Therefore, staff can support this request.

Use Permit

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

There is an existing office facility in an M-1 zone to the north of this site for the Union Pacific Railroad. The proposed office building will be for an underground utilities contractor that will also be using this site for the storage of equipment and materials for the company. Offices as a principal use at this location are consistent and compatible with other developments in this area. Staff finds this use to be appropriate at the proposed location and will not result in an adverse effect on adjacent properties; therefore, staff supports this request.

Waivers of Development Standards

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

Waiver of Development Standards #1

The applicant is requesting to waive requirements for parking lot landscaping for a portion of the development. The parking areas adjacent to the office building will provide landscaping. The applicant is proposing to develop the site as a contractor's storage yard with an outside storage area. Large commercial vehicles will maneuver in the rear portion of the site and landscaping in this area could impede on-site traffic circulation. The plans show this site will provide more trees along Oleta Avenue than have been provided by existing developments along this street based on aerial photographs. Based on the number of provided parking spaces and the landscape plan the total parking lot landscaping is 2 large trees or 3 medium trees short of what is required by Code. This site is currently in an area of low heat vulnerability. Given that this is an area of

low heat vulnerability, and more trees are being provided along the street than what adjacent developments have provided, staff is not opposed to this waiver.

Design Reviews

The proposed use of the property is consistent and compatible with existing and planned developments in this area. The design of the buildings are similar to other buildings in this area; therefore, staff can support these requests.

Public Works - Development Review

Waiver of Development Standards #2a

Staff has no objection to the reduction in throat depth for the easternmost driveway on Oleta Avenue. Oleta Avenue should see minimal traffic as it only serves 4 parcels in this area and ends to the west of the site, minimizing the potential conflicts normally caused by reduced throat depth.

Waiver of Development Standards #2b

Staff has no objection to allow a commercial pan driveway per Uniform Standard Drawing 224 for the westernmost driveway on Oleta Avenue. Oleta Avenue ends immediately west of this driveway and should see minimal use.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 21, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0124-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: OLETA JONES 2.50, LLC

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

DRAFT



LAND USE APPLICATION

2A

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 (ZC) \$10500 <input checked="" type="checkbox"/> USE PERMIT (UC) \$67500 <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) \$47500 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) \$67500 <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 (E-T) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ZC-23-0149</u> DATE FILED: <u>3-21-2023</u> PLANNER ASSIGNED: <u>A1</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-26-2023</u> PC MEETING DATE: <u>5-16-2023</u> BCC MEETING DATE: <u>6-21-2023</u> FEE: <u>\$ 2,87500</u>		
		PROPERTY OWNER NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 788-8428</u> CELL: <u>(702) 788-8428</u> E-MAIL: <u>christine@jlaiv.com</u>	
	APPLICANT NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgorcillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>		
	CORRESPONDENT NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgorcillo@cox.net</u> REF CONTACT ID #: <u>191488</u>		

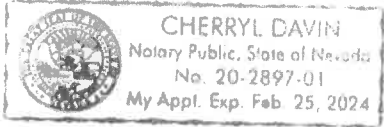
ASSESSOR'S PARCEL NUMBER(S): 176-23-601-013
 PROPERTY ADDRESS and/or CROSS STREETS: Jones Boulevard and Oleta Avenue
 PROJECT DESCRIPTION: Office and Warehouse Development with outside storage

I (We), the undersigned swear and say that I am (We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or I 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)* Joel Laub
 Property Owner (Print)
 STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON OCTOBER 27, 2022 (DATE)
 By JOEL LAUB

NOTARY PUBLIC: Cherryl Davin



*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

February 15, 2022

ZC-23-0149

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

RE: REVISED - Zone Boundary Amendment, Special Use Permit, Waivers of Development Standards, and Design Review – Office Warehouse Development with Outside Storage (APN: 176-23-601-013)

On behalf of Oleta Jones 2.50, LLC, we are requesting a zone boundary amendment (zone change) to M-1 zone, special use permit, waivers of development standards, and design review for an office warehouse development with outside storage. The M-1 (Light Manufacturing) District is established to provide areas suitable for the development of light manufacturing establishments. The subject site is 2.3 acres, zoned R-E, and located on the south side of Oleta Avenue, approximately 350 feet west of Jones Boulevard.

The proposed uses are either conditional or permitted by right in an M-1 zoning district. Based on the attached site plan with corresponding setbacks, required parking, and storage yard with screening, the proposed use is entirely consistent with the intent of the M-1 zoning district. The project is in full compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional employment and industrial developments.

Zone Boundary Amendment

The request for M-1 is for an office/warehouse development with outside storage for an underground utility contractor. This location will include the main offices, employees, outside storage for construction materials, construction vehicles, construction equipment and fuel and oil tanks for the company's vehicles and power tools. Therefore, the proposed development will be consistent and further the expansion of light industrial and employment uses in the Enterprise area.

The context of the site's location justifies this request. The site is surrounded by Employment and Open Land categories with M-1 zoned properties to the north, east, southeast, and farther west across the railroad tracks. Immediately to the west is the Union Pacific Railroad and approximately 300 feet to the south is a sand and gravel facility with a concrete and asphalt batch plant on 160 acres. Therefore, the request is entirely consistent and compatible with the immediate area.

The request is entirely consistent with Goal EN-5 which furthers the protection of industrial and employment areas in Enterprise. Additionally, the site is immediately contiguous to Arden and therefore, the request is compliant and furthers Policy EN-5.1 which supports, in part, the expansion of light industrial and employment uses in the Arden area. In fact, the Union Pacific Railroad Arden Yard office is directly across the street from this site and is zoned M-1.

Special Use Permit

Certain prescribed uses are only permitted with a special use permit and not permitted by right due to a special characteristic of its operation or installation. The use may be permitted with discretion in a district subject to review by the Commission or the Board to ensure compatibility with existing or planned surrounding uses and characteristics of development.

Even though the principal use on the property will be a screened contractor's outside storage yard, the project consists of two buildings. The first building is an office building for the employees and operations of the utility contractor. The second building is warehouse building that will also contain some office use. The contractor desires to consolidate all the company's operations on one site and the office building consists of the main headquarters for the business operation since offices are integral to a contractor. With a combination of enhanced street landscaping and transitional space, the proposed use will not have any adverse impact on the immediate area. The office is not an office development where the use is the primary function of the site; therefore, the proposed office area is strictly ancillary to the main operation of the contractor yard. Therefore, this portion of the request furthers the employment and industrial goals contained within the Clark County Master Plan.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. 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 first waiver of standards request is to eliminate parking lot landscaping for a portion of the parking area along the east side of the site. All the parking spaces surrounding the office building which is closest to Oleta Avenue comply with parking lot landscaping. The parking spaces along the east side are commercial vehicle spaces that are intended for larger vehicles (trucks). Due to the difficulty in maneuvering commercial vehicles, such as turning radii and backing up, landscape fingers would not be conducive to vehicular parking. A combination of site and enhanced street landscaping will mitigate the loss of the parking lot landscaping along the east property line.

The second waiver of standards request is for alternative driveway geometrics for a reduced throat depth of 20 feet. The required throat depth per Uniform Standard Drawing 222.1 is 25 feet. The proposed throat depth is consistent with the driveway geometrics immediately to the north and east properties. The proposed throat depth will not have any adverse impact on vehicles that could queue in the right-of-way. Finally, the affected driveway is on Oleta Avenue which is a local street with minimal traffic generation that terminates immediately west of this site. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

The third waiver of standards request is for alternative driveway geometrics for the design of the westernmost driveway. The site plan proposes a commercial pan driveway consistent with Uniform Standard Drawing 224 where Uniform Standard Drawing 222.1 is required. The intent is to match the almost identical type of driveway that exists directly across the street at the Union Pacific Railroad Arden Yard office. The commercial design without curb return radii will be easier to maneuver commercial vehicles (large trucks) that will pulling a hauling that will be loaded with construction equipment and materials. Since the proposed driveway will be wider and located a few feet from where Oleta Avenue terminates, we do not anticipate any negative impacts to traffic movements in the right-of-way. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no vehicular conflicts within the right-of-way.

Design Review

The applicant is requesting a design review for the site and building design as referenced per plans. The submitted site plan depicts an effective layout of the buildings, parking areas, circulation, and proper screening of the proposed outside storage. The two driveways will have access control through automatic sliding gates. The gates will be open during business hours and thereby comply with all setback requirements per Title 30. The streetscape which will consist of landscaping and solid and wrought iron fencing that exceeds requirements of Title 30 and will enhance this portion of Oleta Avenue. The site will be enclosed with an eight foot high split face decorative block wall.

The elevations for the proposed buildings consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands, reveal lines, and other unique and modern materials and features. The architectural detailing is provided on all sides consistent with the primary/front elevation.

Therefore, the proposed use and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,



**EASEMENTS
(TITLE 30)**

OLETA AVE/JONES BLVD

**PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0150-OLETA JONES 2.50, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Oleta Avenue and Serene Avenue (alignment), and between Jones Boulevard and El Camino Road within Enterprise (description on file). JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:
176-23-601-013

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a contractor's storage yard with an office building for the administration of the company. The applicant is requesting to vacate government patent easements around the boundaries of the property that are not needed for rights-of-way or utilities.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Union Pacific office building & crew change facility
South & West	Open lands	R-E	Undeveloped
East	Business Employment	M-1	Convenience store, car wash, & gasoline station

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

Related Applications

Application Number	Request
PA-23-700007	Master Plan Amendment to redesignate the site from Business Employment (BE) to Industrial Employment (IE) is a companion item on this agenda.
ZC-23-0149	A zone change to reclassify the site to an M-1 zone for a contractor's storage yard and office building 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 June 21, 2023 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal,
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: OLETA JONES 2.50, LLC

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 3A

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>V5-23-0150</u> DATE FILED: <u>3-21-2023</u> PLANNER ASSIGNED: <u>A1</u> TAB/CAC: <u>Enter price</u> TAB/CAC DATE: <u>4-26-2023</u> PC MEETING DATE: <u>5-16-2023</u> BCC MEETING DATE: <u>6-21-2023</u> FEE: <u>\$ 875.00</u>
--	----------------	--

PROPERTY OWNER	NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 788-8428</u> CELL: <u>(702) 788-8428</u> E-MAIL: <u>christine@jtalv.com</u>
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APPLICANT	NAME: <u>Oleta Jones 2.50, LLC</u> ADDRESS: <u>6415 South Tenaya Way, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dordillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>
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CORRESPONDENT	NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-23-601-013

PROPERTY ADDRESS and/or CROSS STREETS: Jones Boulevard and Oleta Avenue

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

[Handwritten Signature]
Joel Laubs

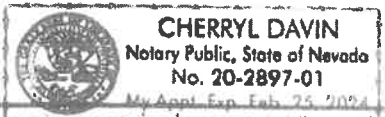
Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON FEBRUARY 2, 2023 (DATE)

By JOEL LAUBS

NOTARY PUBLIC: Cherryl Davin



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

APR-22-101524

January 24, 2023

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

**Re: Oleta-Jones Warehouse-Vacation of Patent Easement
Lochsa Project No. 221135**

To Whom It May Concern:

Lochsa Engineering is submitting an application for the vacation of a patent easement located on one parcel referred to as APN 176-23-601-013. The patent easement is located along the boundary of the site. Along the eastern, western, and southern property lines of the site the patent easement is 33' wide while along the northern property line the patent easement is 3' wide. This patent easement number is 1217030 has been recorded in book 465 as instrument 375140.

The patent easement is necessary for the development of the project site. Additionally the adjacent parcels to the east, west, and south have access to dedicated right of way as such access is not required through the patent easement to these parcels. The remaining 3' foot patent easement on the north property line is not required as Oleta Avenue has been dedicated to it full half width of 30 feet adjacent to the parcel.

Please feel free to contact me with any questions at (702)365-9312. Thank you.

Sincerely,

Joanna De Guzman

RECREATIONAL FACILITY
(TITLE 30)

LAS VEGAS BLVD S/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0159-SRMF TOWN SQUARE OWNER, LLC:

USE PERMIT for a recreational facility.

WAIVER OF DEVELOPMENT STANDARDS to encroach into air space.

DESIGN REVIEW for a recreational facility (professionally designed putting course) with a restaurant, bar, and outside playground area in conjunction with an existing shopping center on a portion of 94.4 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Sunset Road within Enterprise. MN/rk/syp (For possible action)

RELATED INFORMATION:

APN:

177-05-510-002 ptn

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 6605 Las Vegas Boulevard S.
- Site Acreage: 94.4 (portion)
- Project Type: Recreational facility (professionally designed putting course)
- Number of Stories: 2
- Building Height (feet): Up to 35
- Square Feet: 38,131 (putting course)/12,770 (restaurant)/485 (outdoor dining)
- Parking Required/Provided: 5,497/5,543 (overall shopping center including this use)

Site Plan

This is a request for a proposed recreational facility within an existing shopping center (Town Square) on one of the last remaining undeveloped building pad sites within the complex. The proposed use is a 36 hole outdoor professionally designed putting course. The project will be located towards the southern portion of the retail complex adjacent to an existing parking lot. The plan depicts ingress/egress to the subject facility via internal driveways within the shopping center.

Landscaping

The interior building pad site will provide landscaping throughout the parking lot, around portions of the building footprint, and along the perimeter of the putting course. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The proposed request will have combinations of a 2 level building ranging in height from 16 feet to 35 feet to the top of the building. The building will have a contemporary/modern architectural style with a variety of architectural elements. The exterior of the building will consist of a combination of smooth stucco finish, decorative metal panels, deck railing, and glass store fronts and windows. On top of the building (above the restaurant) is a rooftop deck with outside dining and drinking. Due to the proximity to Harry Reid International Airport, a waiver of development standards is necessary to intrude into air space, and a determination by the FAA will be required before this application can be acted on by the Planning Commission.

Floor Plans

The outdoor putting course contains 36 holes and totals 38,131 square feet. The building will house the restaurant, 2 bars, and a rooftop deck that totals 12,770 square feet. Additionally, there is a 5,623 outdoor playground area adjacent to the restaurant.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the proposed use is an outdoor professionally designed putting course experience. Popstroke is a golf putting and dining concept that started in Florida and has 4 existing locations in Florida, with several new locations planned in other locations in the United States, including Las Vegas. Tiger Woods and TGR Design are responsible for designing the new Popstroke locations. Furthermore, the applicant states this type of use is consistent and compatible with the family-friendly theme of Town Square, and will offer yet another great entertainment and dining experience for the patrons of Town Square.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400107 (WS-19-0682)	First extension of time for a hotel	Approved by BCC	November 2022
WS-19-0682	Waived development standards for a hotel encroaching into air space	Approved by BCC	October 2019
WS-18-0918	Amended a comprehensive sign package	Approved by BCC	March 2019
UC-18-0804	Recreational facility (escape room)	Approved by PC	December 2018
UC-17-1045	Banquet facility and major training facility	Approved by PC	January 2018

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0790-17	Modifications to an approved comprehensive sign package	Approved by BCC	November 2017
WS-0865-15	Gasoline station (alternative fuel/electric car charging station)	Approved by BCC	May 2016
DR-0781-15	Retail pad site building	Approved by BCC	March 2016
UC-0287-13	Recreational facility with dining and on-premises consumption of alcohol, restaurant, and retail sales with minor training facilities, major training facilities, and colleges/universities	Approved by PC	July 2013
UC-0123-12	Specific uses within an H-1 zoned regional shopping center and allowed an increased number of temporary commercial uses	Approved by PC	May 2012
UC-0391-05	Regional shopping center, live entertainment, nightclubs, theaters, and associated uses	Approved by BCC	May 2005

*There have been numerous other land use applications for this development related to additional specific uses.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1 & H-1	Manufacturing, auto repair, industrial complex, & undeveloped
South	Entertainment Mixed Use	C-2	Empty commercial development (Clark County Aviation), liquor store, & retail buildings
East	Entertainment Mixed Use	H-1	Recreational facility (golf course) & approved Las Vegas Extreme Park Recreational Facility
West	Business Employment	M-1, M-D, & R-E	I-15 & industrial complexes

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit and Design Review

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

Staff has no concerns with the uses associated with this request, given the land use context of the existing shopping center and the surrounding area. This use is consistent with other uses along the resort corridor and there are policies established in the Master Plan that encourages sites to be compatible with adjacent land uses and off-site circulation patterns. Additionally, the project site has ample parking to accommodate visitors; therefore, staff can support this request.

Department of Aviation

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

The property lies within the AE-70 (70 - 75 DNL) and AE-65 (65 - 70 DNL) noise contours for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- 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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that 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 owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0138-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SRMF TOWN SQUARE OWNER, LLC

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



LAND USE APPLICATION 4A

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



APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>LC 23-0154</u> DATE FILED: <u>3-29-23</u> PLANNER ASSIGNED: <u>BR</u> TAB/CAC: <u>Estimate</u> TAB/CAC DATE: <u>3-29-23</u> PC MEETING DATE: <u>6-1-23</u> <u>HLI (AP 03) (no set)</u> BCC MEETING DATE: <u>---</u> <u>Est. document submitted</u> FEE: <u>11350.00</u> <u>Min</u>
	PROPERTY OWNER NAME: <u>SRMF Town Square Owner LLC</u> ADDRESS: <u>1600 E 8th Avenue, Suite A-208</u> CITY: <u>Tampa</u> STATE: <u>FL</u> ZIP: <u>33605</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>SRMF Town Square Owner LLC</u> ADDRESS: <u>1600 E. 8th Avenue, Suite A-208</u> CITY: <u>Tampa</u> STATE: <u>FL</u> ZIP: <u>33605</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Stephanie Allen - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>n/a</u> E-MAIL: <u>sallen@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-05-510-002

PROPERTY ADDRESS and/or CROSS STREETS: 8605 S. Las Vegas Blvd

PROJECT DESCRIPTION: Special use permit for recreational facility

(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)*
 STATE OF Florida
 COUNTY OF Hillsborough
 SUBSCRIBED AND SWORN BEFORE ME ON April 27, 2022 (DATE)
 By Kenneth P. Jones
 NOTARY PUBLIC: 

SRMF Town Square Owner, LLC
 Property Owner (Print) Kenneth P. Jones as Manager of SRMF Town Square Owner, LLC
 KATHY C. CROSBY
 Commission # HH 162706
 Expires September 19, 2025
 Bonded Third Budget Notary Services

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

**KAEMPFER
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

STEPHANIE ALLEN

sallen@kcn.law.com

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CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89701
Tel: 775.884.8330
Fax: 775.882.0267

February 27, 2023

UC-23-0159

VIA UPLOAD

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

*Re: Justification Letter for a Special Use Permit for a Recreation Use ("Popstroke") and
Design Review at Town Square (APN 177-05-510-002)*

To Whom It May Concern:

Please be advised our office represents the owners of Town Square (the "Applicant") located near the northwest corner of Las Vegas Boulevard and the 215 Beltway, more specifically described as Assessor's Parcel Number 177-05-510-002 ("Site").

A. Special Use Permit for a Recreation Use

This application is to allow a new recreation use at Town Square on a vacant pad near the southwest portion of the Site. The proposed use is an outdoor professionally designed putting course experience. Popstroke is a golf putting and dining concept that started in Florida and has four existing locations in Florida with several new locations planned in other locations in the United States, including Las Vegas. Tiger Woods and TGR Design is responsible for designing the new Popstroke locations.

The Site is zoned H-1 so it requires a special use permit; however, this type of use is consistent and compatible with the family-friendly theme of Town Square. This will offer yet another great entertainment and dining experience for the patrons of Town Square.

B. Design Review

The proposed building and playground area is located on the west portion of the new pad with the putting green on the east portion of the pad. Access will be via South Drive to the north of the pad. The Applicant will be developing the pad for Popstroke, and Popstroke will be responsible for the development of the improvements. There are 130 parking spaces required and provided as part of this new use. The building footprint is 9,544 square feet with two levels and a rooftop. The restaurant area is 12,770 square feet with an additional 485 square feet of outdoor dining space. Currently, the shopping center has a use permit in place for outside dining and drinking per

UC-0123-12. The golf course area is 38,131 square feet with a warm up green. The maximum height is 34 feet 11 inches. The design shows a sleek black metal roof material with fabricated horizontal metal screening. There are varying heights and articulation provided on the building creating a very new, nice and compatible design addition to Town Square.

Thank you for your kind consideration of our request. Please let me know if you have any questions. I can be reached at (702) 792-7045 or sallen@kenvlaw.com.

Sincerely,

KAEMPFER CROWELL



Stephanie Allen

06/06/23 PC AGENDA SHEET

RESTAURANT/RETAIL BUILDING
(TITLE 30)

RAINBOW BLVD/CACTUS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0121-LAGOON INVESTMENTS, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a restaurant building with drive-thru services and retail building on a pad site within a shopping center on a 0.7 acre portion of a 5.5 acre shopping center in a C-2 (General Commercial) Zone.

Generally located on the west side of Rainbow Boulevard, 320 feet north of Cactus Avenue within Enterprise. JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

176-27-823-002; 176-27-823-004 through 176-27-823-009 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Reduce parking for a shopping center to 160 spaces where a minimum of 193 spaces are required per Table 30.60-1 (a 17.1% reduction)

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 10415, 10425, 10435, 10455, 10465 & 10475 S. Rainbow Boulevard
- Site Acreage: 0.7 pad site/5.5 shopping center
- Project Type: Restaurant with drive-thru service and retail building
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 3,000
- Parking Required/Provided: 193/160 shopping center

Site Plan

The applicant is proposing to construct a commercial building on a pad site within an existing shopping center. The shopping center is located at the northwest corner of Rainbow Boulevard and Cactus Avenue and access is provided to the center by 2 existing driveways, 1 from each of

these streets. The pad site is located in the central portion of the eastern half of the shopping center. The proposed building will consist of lease spaces for a retail business and a restaurant with a drive-thru service. The retail space is in the west portion of the building and the restaurant in the east portion. The entrance to the drive-thru service is located at the northwest corner of the building and travels along the west, south, and east sides of the building. The call box for the drive-thru service is located at the southwest corner of the building and the pick-up window is located on the northeast corner. Additional parking is being added for this use and shopping center within the pad site. New parking spaces are located to the front (north) of the building and along the west and south sides of the pad site, and will be accessed from existing drive aisles within the shopping center.

Landscaping

Landscaping consisting of trees, shrubs, and groundcover are being added to the new parking areas within the pad site and adjacent to the building. There will be some slight modifications to the landscape area along Rainbow Boulevard to the east of the pad site to provide a handicapped accessible walkway from the public sidewalk to the entrances of the proposed building.

Elevations

The building is 1 story with a maximum height of 25 feet. The building has a flat roof behind a parapet wall that varies between 20 feet to 25 feet in height. The exterior of the building consists of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as a stucco finish painted in earth tone colors, metal awnings, accent bands, and reveal lines.

Floor Plans

The plans depict a 3,000 square foot building that will be divided into 2 lease spaces; the western portion of the building will be a retail space, and the eastern portion will be a restaurant with a drive-thru service, and the pickup window is located on the east side of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the building will have similar architectural elements that provide for a seamless development site and contemporary style of urban architecture that is compatible with the surrounding area. The proposed uses are consistent and compatible with existing development in the area. The proposed uses are in harmony with the Clark County Master Plan and will not have a substantial or undue adverse effect on adjacent properties. The parking for the shopping center is 33 spaces (17%) less than required by Code. The applicant indicates that the proposed parking is adequate for the uses within the shopping center and will not have a substantial or undue adverse effect on the adjacent developments.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-22-0228	Vehicle maintenance (smog testing) facility within an existing shopping center	Approved by BCC	June 2022
DR-18-0146	Shopping center	Approved by BCC	April 2018
VS-1094-17	Vacated and abandoned right-of-way and easements	Approved by PC	February 2017
WS-0656-17	Modified street standards and design review for a restaurant with drive-thru, retail building, convenience store with fueling canopy, and vehicle wash in conjunction with the first phase of a proposed shopping center	Approved by BCC	September 2017
ZC-0126-17	Reclassified this site to C-2 zoning for a mini-warehouse facility and future commercial development	Approved by BCC	May 2017
MP-1009-02	Specific Plan for Mountain's Edge Master Planned Community	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD & C-2	Single family residential & undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3 & C-2	Single family residential & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	M-1	Water reservoir for the Las Vegas Valley Water District
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Mini-warehouse facility

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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.

When the shopping center was first approved the facility was parked at 4 spaces per 1,000 square feet of building area. Due to changing circumstances and changes to the Code, the shopping center is now parked at 5 spaces per 1,000 square feet of building. The shopping center is in compliance with the old parking standard. Staff finds the proposed parking is adequate for the shopping center and does not object to the waiver.

Design Review

The proposed uses of the building are consistent and compatible with the existing and planned land uses abutting this site. The design of the building is similar to the other buildings within the shopping center; therefore, staff supports the design review.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0140-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MEQ-CACTUS & RAINBOW, LLC

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

DRAFT



LAND USE APPLICATION 5A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS/DR-23-0121</u> DATE FILED: <u>3-6-2023</u></p> <p>PLANNER ASSIGNED: <u>8823</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-26-2023</u></p> <p>PC MEETING DATE: <u>5-16-2023</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$1,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>MEQ-Cactus & Rainbow, LLC</u></p> <p>ADDRESS: <u>1437 7th Street, #200</u></p> <p>CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90401</u></p> <p>TELEPHONE: <u>(626) 494-6344</u> CELL: <u>(626) 494-6344</u></p> <p>E-MAIL: <u>kyle@masseq.com</u></p>
	APPLICANT	<p>NAME: <u>MEQ-Cactus & Rainbow, LLC</u></p> <p>ADDRESS: <u>1437 7th Street, #200</u></p> <p>CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90401</u></p> <p>TELEPHONE: <u>(626) 494-6344</u> CELL: <u>(626) 494-6344</u></p> <p>E-MAIL: <u>kyle@masseq.com</u> REF CONTACT ID #: <u>N/A</u></p>
	CORRESPONDENT	<p>NAME: <u>Dionicio Gordillo, DG Consultants</u></p> <p>ADDRESS: <u>204 Belle Isle Ct.</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u></p> <p>TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u></p> <p>E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-27-823-008, 176-27-823-005, 176-27-823-0074(006)

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Boulevard and Cactus Avenue

PROJECT DESCRIPTION: Restaurant with drive-thru and retail pad site within existing 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) Andrew J. Siskel
Property Owner (Print)

STATE OF Colorado
COUNTY OF Jefferson

SUBSCRIBED AND SWORN BEFORE ME ON July 29 2023 (DATE)

By Andrew J. Siskel

NOTARY PUBLIC: Melissa J. [Signature]

WILLIAM F HEIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184009209
MY COMMISSION EXPIRES 02/26/2022

*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 1, 2022

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

PLANNER
COPY

RE: REVISED - JUSTIFICATION LETTER – Design Review for a Retail and Restaurant with Drive-Thru

On behalf of MEQ-Cactus & Rainbow, LLC, we are requesting a design review for a proposed 3,000 square foot retail and restaurant with drive-thru building on an undeveloped pad site within an existing shopping center. The subject parcel is 0.7 acres, zoned C-2, and located at the NW corner of Cactus Avenue and Rainbow Boulevard. By way of background, the zoning was originally approved with ZC-17-0126 in May 2017, for a mini-warehouse facility and future shopping center. The site is part of the Mountain's Edge Planned Community. The original zone boundary amendment requires a design review as a public hearing on final plans for the shopping center. Since the shopping center has been approved in phases, the proposed building has never been approved through any of the following land use requests: 1) WS-17-0656; and 2) DR-18-0146. However, the building and drive-thru has always been depicted on site plans, approved drainage study, and approved traffic study. In fact, the proposed building is in compliance with the approved drainage and traffic studies.

The proposed retail and restaurant with drive-thru building is entirely consistent with the intent of the C-2 zoning district and is a typical pad site development in conjunction with shopping centers within Clark County. The request is in compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional commercial developments to serve residential areas.

Site Plan and Elevations

The site is located at the northwest corner of Cactus Avenue and Rainbow Boulevard which are both arterial streets. The proposed development plan provides for cross access and shared parking with the existing shopping center. The off-site improvements, street landscaping, and driveways all exist and are not a part of this request. The primary access to this pad site is from an existing driveway on Rainbow Boulevard. Since access to the site is from two arterial streets, there will be no negative impacts to the surrounding properties.

The proposed restaurant with drive-thru is designed to minimize any potential vehicular conflicts by having sufficient queueing for the drive-thru. The building will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The building is 20 to 25 feet high with parapet walls and enhanced cornice treatments along all roof lines that provide for variations in roof lines for all elevations. The exterior elevations consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, metal awnings, accent bands and reveal lines. **The architectural detailing is provided on all sides consistent with the primary/front elevation.**

Therefore, the proposed uses and site location achieve the following: **a)** the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; **b)** the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the

neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,



PLANNER
COPY

06/06/23 PC AGENDA SHEET

SETBACKS/NON-STANDARD IMPROVEMENTS
(TITLE 30)

CACTUS AVE/MANN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0155- AMH NV 14 DEVELOPMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) non-standard improvements in the right-of-way on 6.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Cactus Avenue and the west side of Mann Street within Enterprise. JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

176-26-813-001 through 176-26-813-051

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback for Lot 16 to 7 feet 5 inches where 15 feet is required per Table 30.40-2 and 10 feet was previously approved (a 23.3% reduction).
2. Allow non-standard improvements within the right-of-way where not permitted per Section 30.52.050.

LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Acreage: 6.5
- Number of Lots/Units: 49 residential & 2 comment elements
- Density (du/ac): 7.5
- Minimum/Maximum Lot Size (square feet): 3,315/5,358
- Project Type: Rear setback reduction and non-standard improvements in the right-of-way

History & Site Plans

The plans depict a detached single family residential development consisting of 49 lots with a density of 7.5 dwelling units per acre. There is an existing public drainage easement that divides the northern portion of the site from the majority of the proposed development. The plans indicate the 42 foot wide drainage easement as one of the common elements of the subdivision.

The plans show that 16 lots with access from Rush Avenue are located to the north of the drainage easement. The remaining 33 lots to the south of the drainage easement will be accessed by 48 foot wide public streets. The entrance to this portion of the subdivision will be via Mann Street on the east side of the development. The plans show a pedestrian access to Cactus Avenue from this terminus of a proposed cul-de-sac within the development. The request for the rear yard setback is for 1 lot located at the northeast corner of the development. The plans show that the drainage easement curves to the north adjacent to lot 16 on the northeast corner of the site, causing the length of the lot to be reduced from the west to the east. In December 2021, this lot was approved for a rear setback reduction from 15 feet to 10 feet. However, the applicant is requesting to further reduce the rear setback to 7 feet 5 inches. This additional reduction will be needed for the southeast corner of the lot where the remaining portion of the building will meet the main required setback.

Additionally, the applicant is requesting to allow non-standard improvements located within the public right-of-way, more specifically for an irrigation crossing at the entrance of a previously approved development from Mann Street. The proposed irrigation crossing will consist of two, 4 inch or one 6 inch schedule 40 PVC pipe. These pipes will be used to irrigate the perimeter landscaping.

Landscaping

The previously approved landscaping depicted a minimum 15 foot wide landscape area with detached sidewalks along Cactus Avenue and Torrey Pines Drive. A minimum 6 foot wide landscape area with an attached sidewalk located along Mann Street. Landscaping along the public streets consists of combinations of trees, shrubs, and groundcover. The common element located along the south side of the entrance of the development is approximately 15 feet wide and the plans depict a landscape area consisting of trees, shrubs, and groundcover.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting this further reduction of the rear setback for Lot 16 from 10 feet 3 inches to 7 feet 8 inches to allow for 1 additional house plan to fit on the lot. This rear yard setback reduction is due to the drainage easement that bisects the property and creates an odd shaped lot (Lot 16). The applicant indicates that to off-set this request, Lot 16 has been widened, this allows for a 16 foot wide side yard, which is over triple the required width. Furthermore, the applicant states that even though this is a self-imposed hardship, it is due to the design parameters of the drainage channel and affects only 1 lot of the subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0585	Reduced setbacks with a design review for residential development & increase finish grade	Approved by BCC	December 2021
ZC-18-0774	Reclassified the site to R-2 zoning for a single family residential development	Approved by BCC	December 2018

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0772	Vacated and abandoned patent easements and portions of Cactus Avenue and Torrey Pines Drive to allow for detached sidewalks	Approved by BCC	December 2018
TM-18-500182	46 lot single family residential subdivision	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	RUD	Single family residential
East	Compact Neighborhood (up to 18 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD & R-2	Single family residential & undeveloped
West	Open Lands	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The plans show the location of the drainage easement will reduce the length of a portion of 1 lot within the development which effects the rear yard setback for the southeast corner of the lot. Staff finds that the drainage easement is a special circumstance creating a unique situation for this proposed development and can support the proposed setback reduction.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any irrigation crossing placed in the right-of-way. Staff can support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AMH DEVELOPMENT, LLC
CONTACT: THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,
NV 89120



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

6A

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>AMH NV 14 Development, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.703.5295</u> CELL: _____ E-MAIL: <u>rflaxa@ah4r.com</u>
	APPLICANT NAME: <u>AMH Development, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.703.5295</u> CELL: _____ E-MAIL: <u>rflaxa@ah4r.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>The WLB Group, Inc.</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-26-801-004
 PROPERTY ADDRESS and/or CROSS STREETS: W Cactus Ave and S Torrey Pines Dr
 PROJECT DESCRIPTION: A Rear Yard Setback Reduction

(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 Flaxa
 Property Owner (Signature)*
Robert Flaxa
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON January 17, 2023 (DATE)
 By Robert Flaxa
 NOTARY PUBLIC: [Signature]



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



March 30, 2023

Clark County Comprehensive Planning
500 South Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155

WS-23-0155

REVISED
04/06/23 JUD

**RE: Waiver of Development Standards – Setback Reduction
Cactus Mann
(APN: 176-26-801-003 & 004)**

176-26-813-016

CIVIL
ENGINEERING

Clark County Planning Staff,

On behalf of AMH Development, LLC, The WLB Group is respectfully submitting the attached Waiver of Development Standards application for the above referenced parcel numbers at the Northeast of Cactus Ave and Mann Street.

Project Description

The proposed development consists of a 49-lot single family detached on 6.48 acres with a gross density of 7.56. The community will consist of 2-story homes for a detached single-family development. The community was previously approved under ZC-18-0774/TM-21-500161/WS-21-0585.

Waiver of Development Standards

The proposed development will require the approval of two (2) additional waivers of development standards which are listed below;

1. To further reduce the approved rear setback on Lot 16 from 10'-3" (as previously approved by WS-21-0585 down to 7'-8". This further reduction only applies to one lot within a 49-lot subdivision.

This further reduction of the rear setback from 10'-3" to 7'-8" is for one lot and will only affect one corner of the building. We are requesting this further reduction to allow for one additional house plan to fit on the lot. This rear yard setback reduction is due to the drainage easement that bisects the property and creates an odd, shaped lot (Lot 16). To offset this request, lot 16 has been widened, this allows for a sixteen-foot-wide side yard, which is over triple the required width.

Title 30 code also requires a 50-foot setback from a drainage channel to a residential building unless the drainage channel itself has been fully improved and/or a protective wall is constructed per the requirements of the Department of Public Works. This development has an approved drainage study and as part of the requirements of the drainage study, this site is required to improve the drainage channel which currently bifurcates the development. Based on this requirement Title 30 then allows for the setback to be reduced to what is required by the zoning district. The zoning district requires a 15'-0" rear setback, of which we are



requesting by way of a waiver a reduction from 15'-0" down to 7'-8". The actual placement of the channel (concrete lined) in relation to Lot 16 is 13' south of Lot 16 so, from the channel wall to the house on Lot 16 there is 20'-8" of separation, where 15' is required by code.

Even though this is a self-imposed hardship, it is due to the design parameters of the drainage channel and only affects one lot in the subdivision. Therefore, we feel the County could support this waiver since it would not create a precedent for other developments to reference for obtaining reduced rear setbacks.

2. We are requesting to allow Non-Standard Improvements located within the public right-of-way, more specifically for an Irrigation Crossing at the entrance of the previously approved development from Mann Street. The proposed irrigation crossing will consist of (2) 4" or (1) 6" schedule 40 pvc pipe, these pipes will be used to irrigate the perimeter landscaping.

We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Bangan", with a horizontal line extending to the right.

Mark Bangan
Planning Department Manager

06/07/23 BCC AGENDA SHEET

RESTAURANT
(TITLE 30)

BLUE DIAMOND RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0169-BLUE DIAMOND M-E, LLC:

DESIGN REVIEWS for the following: 1) drive-thru restaurant; and 2) finished grade on 1.2 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-610-013; 176-21-610-014; 176-21-717-013

DESIGN REVIEWS:

1. Restaurant with drive-thru.
2. Increase finished grade to 81 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 125% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.2
- Number of Lots/Units: 2
- Project Type: Drive-thru restaurant
- Number of Stories: 1
- Building Height (feet): 21
- Square Feet: 837
- Parking Required/Provided: 4/4 (drive-thru)/1,119 (shopping center)

Site Plan

The development is located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive. The shopping center contains anchor stores, retail shops, and various smaller in-line shops and pad site buildings, which this application is for a proposed drive-thru restaurant to

be in the northeast corner of the existing shopping center at the corner of Blue Diamond Road and Buffalo Drive. Access to the property is from Blue Diamond Road and Buffalo Drive for this proposed development; however, there are several ingress/egress points along Blue Diamond Road and Buffalo Drive. The shopping center has a common property line with a paseo and single family development to the south. In 2016, an application was reviewed and approved for signage for the Mountain’s Edge project identification.

Landscaping

The plans depict landscaping for the proposed drive-thru restaurant with landscaping along Blue Diamond Road to screen the drive-thru lane from the public right-of-way. Landscaping is shown along portions of the drive-thru along the western edge that is adjacent to an existing driveway. Landscaping is shown internally within the parking lot and provides for open spaces.

Elevations

The plans depict a proposed restaurant with a drive-thru lane. The height is up to 21 feet to parapet wall, stucco finish, cast stone veneer, metal awning, and store glazed windows.

Floor Plans

The plans depict an 837 square foot restaurant with drive-thru lane with order area, drive-thru window, utility room, restroom and office.

Signage

Signage is not a part of this request. Previous applications were approved for signage for the Mountain’s Edge Project and total of 3 sets of 2 project identification signs at each entry drive along Blue Diamond Road.

Applicant’s Justification

The applicant states this application is for a fast food restaurant that will be an amenity with the surrounding area to provide for diverse services. In addition, the increase in grade is to ensure the proposed sites can adequately drain to the existing drainage facilities on-site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0910	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B) and the required setback from an on-premises consumption of alcohol establishment (supper club) to a residential use (southwest portion of in-line shops)	Approved by PC	January 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0678-16	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B), reduced the separation from a convenience store to a residential use, reduced the separation from a vehicle wash facility to a residential use, allowed a vehicle repair facility in a C-2 zone, and reduced the separation from a vehicle repair facility to a residential use (redesign of portions of overall shopping center)	Approved by BCC	November 2016
WS-0501-16	Waived the separation between monument type signage, and a design review for an overall sign plan for the commercial development	Approved by BCC	September 2016
ZC-0043-16	Reclassified the overall shopping center to C-2 zoning for a supper club in conjunction with a restaurant, a convenience store with gasoline sales, and vehicle car wash, and a use permit for the reduction in the separation from a supper club to a residential use	Approved by BCC	March 2016
DR-0654-14	Redesign for a shopping center	Approved by BCC	September 2014
UC-1433-06	Redesign of a mixed-use development	Approved by BCC	December 2006
ZC-1004-05	Reclassified the property to C-2 zoning for a mixed-use development	Approved by BCC	August 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Remaining areas of the shopping center & mixed-use development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Design Review #1

The design of the proposed fast food restaurant is harmonious to the overall shopping center and does not pose a visual nuisance to the site or to the neighboring establishments. The design is aesthetically pleasing and does not pose unwarranted effects. Furthermore, the parking lot re-

design provides additional parking, and the circulation does not impede pedestrian and vehicular flow along Warm Springs Road. Therefore, staff can support this request.

Public Works - Development Review

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0433-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ATWELL, LLC

CONTACT: CATHERINE ATCHLEY, ATWELL, LLC, 9001 AIRPORT FREEWAY, SUITE
660, NORTH RICHLAND HILLS, TX 76180

DRAFT



LAND USE APPLICATION 7A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input 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>DR-23-0169</u> DATE FILED: <u>4/3/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/10/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/7/23</u> FEE: <u>\$ 675</u>
	PROPERTY OWNER	NAME: <u>Blue Diamond M-E, LLC</u> ADDRESS: <u>5920 S. Rainbow Blvd., Suite 11</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 239-8066</u> CELL: _____ E-MAIL: <u>tom@REMINGTONNEVADA.COM</u>
	APPLICANT	NAME: <u>Travis Bousquet - Atwell, LLC</u> ADDRESS: <u>9001 Airport Freeway, Ste 660</u> CITY: <u>North Richland Hills</u> STATE: <u>TX</u> ZIP: <u>76180</u> TELEPHONE: <u>972-638-8860</u> CELL: <u>972-207-8077</u> E-MAIL: <u>tbousquet@atwell-group.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Catherine Atchley</u> ADDRESS: <u>9001 Airport Freeway, Ste 660</u> CITY: <u>North Richland Hills</u> STATE: <u>TX</u> ZIP: <u>76180</u> TELEPHONE: <u>512-584-8890</u> CELL: <u>972-816-7827</u> E-MAIL: <u>catchley@atwell-group.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17621610013 & 17621610014

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond Road & S Buffalo Drive

PROJECT DESCRIPTION: Eating Establishment with a Drive-Thru & Adjoining Pad Site

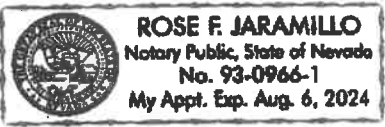
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]
 Property Owner (Signature)* David DeLZotto
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 4, 2022 (DATE)
 By David DeLZotto

NOTARY PUBLIC: Rose F Jaramillo



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



March 13, 2023

Clark County Comprehensive Planning
500 S Grand Central Parkway, Box 551741
Las Vegas, NV 89155-1741
(702) 455-4314

**Subject: Site Design Review • APN 176-21-610-013 & 176-21-610-014 • Salad & Go
Buffalo & Blue Diamond • Town of Enterprise**

Dear Staff,

On behalf of And Go Concepts, LLC, we are providing information regarding a Site Design Review for a proposed development at the parcel number listed above. The parcel is located Southwest of the intersection of S Buffalo Drive & Blue Diamond Road.

The parcel is a part of a larger development area (Mountain's Edge – Village Two). It is the desire of ownership to build an eating establishment with a drive-thru at this location, being *Salad and Go*.

The current property is zoned General Commercial (C-2) and the proposed fast-food restaurant is a permitted use. The project will be consistent with the existing development with regards to esthetics and landscaping. Parking will be provided to accommodate the small footprint of the proposed building.

A Design Review is requested for the grading as the fill surpasses 36 inches to ensure the proposed sites can adequately drain to the existing/master drainage facilities on site. Maximum fill proposed is 6.74' or $\pm 81"$.

If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,
ATWELL, LLC

A handwritten signature in black ink, appearing to read "Travis Bousquet", written over a light blue circular stamp.

Travis Bousquet, PE
DFW Market Leader

DISTRIBUTION CENTER
(TITLE 30)

WINDY ST/ARBY AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400032 (NZN-19-0903)-LMG LAS VEGAS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduce parking; 2) alternative driveway geometrics; and 3) reduce the setback for a proposed gate.

DESIGN REVIEW for a proposed outside storage yard in conjunction with an existing distribution center on 4.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the east and west side of Windy Street and the north side of Arby Avenue within Enterprise (description on file). MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

177-05-701-031; 177-05-701-033

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 82 spaces where 92 spaces are required per Table 30.60-1 (a 10.9% reduction).
2.
 - a. Reduce the driveway width to 32 feet from face of curb to face of curb where a minimum of 35 feet is required per Section 30.52.050 (an 8.6% reduction).
 - b. Reduce the driveway throat depths to 12 feet where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 52% reduction).
3. Reduce the setback for a gate to 12 feet where 18 feet is required per Section 30.64.020 (a 33.3% reduction).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 7060 Windy Street
- Site Acreage: 4.6
- Project Type: Outside storage yard in conjunction with an existing distribution center
- Wall Height (feet): Up to 8
- Parking Required/Provided: 82/92

History & Request

There is an existing 64,113 square foot office/warehouse building centrally located on the eastern parcel with an existing outside storage yard and parking area located on the northern portion of the site. A 23,861 square foot expansion located on the south side of the existing building was approved in June 2018. The purpose of this request was to expand the storage yard and parking area on the northern portion of the eastern parcel into the undeveloped western parcel which was re-zoned with the original request.

Site Plans

The approved plans depict a proposed outside storage yard located on the western parcel. The storage yard will have access to the existing distribution center on the adjacent parcel to the east and Windy Street. There are 2 parking spaces located on the northeastern portion of the parcel and the remaining parking is located on the eastern parcel. A security gate is located at the driveway onto Windy Street. The setback for the gate and the width of the driveway do not meet Code requirements. No changes are proposed to the development on the eastern parcel other than to provide cross access between the 2 parcels.

Landscaping

The approved plans depict an existing 15-foot wide landscape area along Windy Street, and a 20 foot wide landscape area along Arby Avenue. Interior parking lot trees will be provided as required by Code. Landscape materials that match the existing landscaping will be provided in the area where the new driveway is located. Large trees are located adjacent to the I-15 to I-215 off ramp as required per Code. A screen wall between 6 feet and 8 feet in height will surround the outside storage yard.

Elevations

The approved plans depict a 36 foot high existing building and the approved expansion is between 50 feet and 60 feet high. The expansion has a flat roof with parapet walls and the façade consisting of pre-cast concrete panels that match the existing building. Windows, including a storefront window, and door treatments are located on the southwest corner of the building.

Floor Plans

The approved plans depict an existing building consisting of warehouse space, offices, a demo area for the audio equipment, and other accessory uses. The 23,861 square foot expansion includes additional warehouse space, loading dock, and an audio lighting demo area. A 2,461 square foot second floor mezzanine was also provided in the building expansion.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-19-0903

Current Planning

- Resolution of Intent to complete in 3 years;

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

Public Works - Development Review

- Full off-site improvements.
- Applicant is advised that the required gate setback is measured from the property line pursuant to Title 30 so revised plans must show the correct measurement or additional land use applications will be required for the applicant to provide the correct numbers; and that the minimum required throat depth is not shown on the plans, and therefore, additional land use applications will be required if the standards are not met.

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 #0685-2019 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states many locations within the Enterprise planning area designated for Business Park development are near the existing residential uses and have since been reclassified. Many of the parcels abutting this site are developed; therefore, the request would not change the area's character. The required amount of parking spaces is more than what the property owner intends to use. A waiver is being requested to allow for parking reduction and to allow the applicant adequate space for other business operations. Landscaping and property illumination requirements will be met according to Title 30.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0525	Waivers for landscaping in conjunction with an existing distribution center and outside storage - expired	Approved by BCC	November 2021
NZC-19-0903	Zone change, waivers, and design review for outside storage in conjunction with an existing distribution center	Approved by BCC	February 2020

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0849	Vacation of an access easement	Approved by PC	December 2018
WS-18-0627	Waived standard water commitment requirement, off-site improvements, and drainage study in conjunction with a minor subdivision parcel map	Approved by BCC	October 2018
WS-18-0215	Waived standards for increased building height, reduced throat depth for driveway, with a design review for expansion of an existing distribution center	Approved by BCC	June 2018
WS-1497-04	Distribution center for a stage and lighting facility	Approved by BCC	September 2004
VS-1498-04	Vacated patent easements	Approved by BCC	September 2004
ZC-1235-99	Reclassified the site from R-E and H-1 zoning to M-D zoning for an office/warehouse building	Approved by BCC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North*	Entertainment Mixed-Use	R-E	I-215
South	Entertainment Mixed-Use	M-D & R-E	Undeveloped & office/warehouse
East	Entertainment Mixed-Use	H-1	Undeveloped
West*	Entertainment Mixed-Use	M-D	Office/warehouse

*Immediately to the north and west is the interchange for the I-215 and the I-15.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff believes the applicant has taken steps towards developing these parcels. An off-site permit has been issued by Public Works Department. It is for these reasons that staff can support the extension of time request.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until February 19, 2025 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: CHAMPION RESOURCE GROUP, LLC

CONTACT: CHAMPION RESOURCE GROUP, LLC, 4310 PLUMERIA MIST STREET, LAS VEGAS, NV 89129

Compelling Justification Letter

Re: Nonconforming Zone Change/Waiver of Development Standards Request for an 'Outside Storage' yard for the Triangle Parcel at the Dead-End of S. Windy St./I-215., Las Vegas, NV, APN: 177-05-701-033; PRE/NZC-19-0903

The purpose of this letter is to justify a zone change and waiver of development standards to reclassify a .56 acre site from R-E (Rural Estates Residential) (AE-65) Zone to M-D (Designed Manufacturing) (AE-65) Zone for a proposed 'Outside Storage' yard. For a compelling justification we satisfy the criteria as listed below for proposed nonconforming zone boundary amendments. For the record the current undeveloped site abuts the petitioner's M-D zoned property APN 177-05-701-031 to the east and a neighboring M-D zoned property situated south known as 'Tuff Shed'. The subject property is roughly 'triangular' in shape and is situated at the terminus of a cul-de-sac public street. The north boundary of the subject property is common to a NDOT easement incorporating ramps North from I-15 to East I-215 and North from I-15 to LV Blvd:

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

The Enterprise Land Use Plan was adopted October 2014. Recently trends indicate more areas for light manufacturing and Business parks are being established to diversify the economy in Southern Nevada. Other locations within the Enterprise Planning Area that are designated for Business Park development were located in close proximity to the existing residential development and have since been reclassified to allow for additional residential development. The majority of the parcels abutting this site are developed, therefore the request would not change the character or condition of the area.

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

The proposed project is compatible with the existing developments to the east and west and compatible with planned uses to the south. The property immediately to the east is owned and operated by the same 'Property Owner'.

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.

principals:

Barrett Powley, architect 5492

Deb Hopson, registered interior designer 056

241 W Charleston Blvd, Suite 155, Las Vegas, NV 89135 | 702.733.7759



**Re: Nonconforming Zone Change/Waiver of Development Standards Request
for an 'Outside Storage' yard for the Triangle Parcel at the Dead-End of S. Windy St./I-215., Las Vegas,
NV, APN: 177-05-701-033; PRE/NZC-19-0903**

Page 2

We don't anticipate an adverse effect by the proposed development on public facilities and services. As an 'Outside Storage' yard associated with an adjacent manufacturing facility and distribution center this project would not have a direct impact on schools and parks. The proposed project will have less impact on public services and facilities in this area than other possible land uses allowed by the Commercial Tourist land use designation on the land use plan; moreover, the use of the subject property as an 'Outside Storage' yard would lessen the impact to neighboring streets as fewer 53 feet long semi-trailers would be staged along the existing curbs.

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

The project complies in part with the Urban Specific Policy 1 of the Comprehensive Plan, which encourages growth patterns that promote employment opportunities/development. The proposed project is compatible with other development in this area and complement these existing developments, therefore, the project complies with the Business and Research Park Policy 99 which ensures that business and research park developments as complementary with abutting uses.

Based on the justifications mentioned above we submit that there have been changes trends, facts, and policies which make this request appropriate for the area. The intensity of the project is compatible with other existing developments in this area. We see no adverse effect on public facilities, services, and the project conforms to the other applicable goals and policies. We find compelling justification for the proposed zone change request.

Petitioner requests a 'Waiver of Development Standards' relative to the following minor associated items:

- 1) The opening to the subject property being at the end of a cul-de-sac public street is relatively constricted. In deference to local ordinances petitioner requests that a driveway throat width of 32 feet from face of curb to face of curb be allowed where 32 feet from lip of gutter is required, i.e., 35 feet face of curb to face of curb. The subject driveway will not be located within 6 feet of a light pole, fire hydrant, mailbox, above ground electrical transfer box, or block wall higher than 2 feet.

principals.

Barrett Powley, architect 5492
Deb Hopson, registered interior designer 056

241 W. Charleston Blvd, Suite 155, Las Vegas, NV 89135 | 702.733.7759

**Re: Nonconforming Zone Change/Waiver of Development Standards Request
for an 'Outside Storage' yard for the Triangle Parcel at the Dead-End of S. Windy St./I-215., Las
Vegas, NV, APN: 177-05-701-033; PRE/NZC-19-0903**

Page 3

- 2) The petitioner intends to install a rolling bi-parting security gate at the entrance to the parcel that will be operated by a wi-fi controlled activator. Petitioner's adjacent parking lot is subject to vandalism/theft on an ongoing basis thus requiring enhanced security measures including close-circuit camera monitoring. Security concerns notwithstanding, petitioner requests that a throat depth of 25 feet be allowed where a minimum throat depth of 25 feet is required generally and a throat depth of 50 feet is required for a security gate per Commercial and Multi-Family Security Gate Geometrics (DWG. No. 222.1). Allowing this waiver will allow the petitioner maximum usage of the subject property whereas compliance with current policy unmodified would hinder the petitioner's business operation.
- 3) A Waiver of Development Standards relative to a required parking deficit is sought in conjunction with this application. The Owner's current 'distribution/warehousing' operation including the 'addition' features 59 permanent full-time employees; 'visitors' at any one time rarely account for more than five, i.e., and for this aspect of the Owner's operation 64 parking spaces would ever be used at any one time.

The Audio/Demo (10,338 sq. ft.) portion of the Owner's operation will be intermittently used commensurate with bookings of production crews associated with entertainment productions. These production crews will most likely arrive to the site on a Tour Bus, rather than passenger vehicles. In any event, it is our contention that the remaining eighteen parking spaces ($82 - 64 = 18$) would adequately address Audio/Demo bookings, particularly so, since many of the Audio/Demo bookings might occur at times other than normal business hours when the majority of the provided parking would be available,

The Owner requests a reduction of ten required parking spaces from the 92 required spaces commensurate with the 82 parking spaces featured on the accompanying overall site plan.

Petitioner contends that by acquiring and developing the subject property as described herein the overall quality of the immediate business community will be considerably improved to the benefit of all neighboring properties.

principals.

Barrett Powley, architect 5492

Deb Hopson, registered interior designer 056

241 W Charleston Blvd, Suite 155, Las Vegas, NV 89135 | 702.733.7759



**Re: Nonconforming Zone Change/Waiver of Development Standards Request
for an 'Outside Storage' yard for the Triangle Parcel at the Dead-End of S. Windy St./I-215., Las Vegas,
NV, APN: 177-05-701-033; PRE/NZC-19-0903**

Page 4

Lastly, landscaping requirements will be satisfied per Title 30 and property security illumination will be addressed such that required light levels and luminaire brightness shielding will be designed and maintained accordingly; moreover, two existing parking spaces, relocated to provide paved continuity between the subject property and the petitioner's existing M-D zoned property, have been relocated to the proposed 'Outside Storage' yard'. Required clearances will be maintained.

We trust that due to the unique character of the subject parcel that governing authorities will see fit to accommodate Mr. Les M. Goldberg's perfunctory request for this Non-conforming Zone Change and his request for the associated Waiver of Development Standards making for a successful additional of the property to his current operation.

Should you require additional information and/or clarification please do not hesitate to contact me.

Thank you

Dante Amato, AIA
Project Manager

CC: Barrett Powley, AIA , Principal | Encompass Studio
Les M. Goldberg, LMG, CEO/President
Tom Savelli, LMG, Director of Construction
Mack McKnight, Principal | CRG

principals

Barrett Powley, architect 5492
Deb Hopson registered interior designer 056

241 W Charleston Blvd, Suite 155, Las Vegas, NV 89135 | 702.733.7759

PARK
(TITLE 30)

LINDELL RD/LE BARON AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400037 (ZC-19-0949)-USA:

WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME to reduce the width of right-of-way dedication.

DESIGN REVIEW for a public park with signage and lighting on 9.0 acres of a 22.5 acre site in a P-F (Public Facility) Zone.

Generally located on the west side of Lindell Road and the south side of Le Baron Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action)

RELATED INFORMATION:

APN:
176-25-201-020 ptn

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the width of a public right-of-way (Le Baron Avenue) to 47 feet where 60 feet is required per Section 30.52.030(d) (a 22% reduction).

LAND USE PLAN:
ENTERPRISE - OPEN LANDS

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 9 (portion)/22.5 (overall)
- Project Type: Neighborhood park
- Building Height (feet): Up to 24.5 (playground canopy)/12 (restroom)/11 (shade structures) up to 25 feet (light poles)
- Parking Provided: 63

Site Plan

The approved plan depicts a proposed Clark County neighborhood park, which will include a perimeter trail, 2 playgrounds with shade canopies, a water splash pad, an obstacle course, exercise equipment area, various shade structures, restroom, and 4 dog runs. Access to the site is provided by a driveway from Lindell Road to the east and a driveway from Jo Rae Avenue to the south. A parking lot consisting of 63 parking spaces is located near the southeast corner of the park. The restroom and play areas are located on the southern portion of the overall park and the

dog runs are located on the northern portion of the site. A large active turf area is located near the center and western portions of the site. This request also includes park lighting and signage, and a waiver to reduce the width of Le Baron Avenue to the north. This request is due to existing transmission poles and regional flood control easements within the roadway alignment.

Landscaping & Lighting

The approved plans depict landscaping throughout the park and along the public street frontages. Natural re-vegetation will also be incorporated in the design of the site. A detached sidewalk will be utilized along all the public street frontages. Parking lot lighting, plaza, and shade structure lighting consists of shielded LED lights. The shielded walkway and parking lot light poles are 15 feet to 25 feet tall.

Elevations

The approved playground shade canopies range in height from 21 feet to 24.5 feet. The canopies are constructed of a stretched blue canvas fabric. The 12 foot high restroom building is constructed of smooth texture block exterior with painted standing seam metal roof. Metal shade shelters above the picnic tables and rest areas will be approximately 11 feet high and constructed of angled rafter beams with decorative CMU posts for support.

Floor Plan

The approved restroom is 780 square feet and includes male and female restrooms and a separate storage/utility room.

Signage

Four foot high, 27 square foot monument signs will be located on the northeast and southeast corners of the site. The sign is a standard sign for Clark County Parks with the Clark County logo and the name of the park.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-22-900160 (ZC-19-0949):

Current Planning

- Until February 05, 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.

Listed below are the approved conditions for ZC-19-0949:

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 the waiver of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Any right-of-way width reduction on Le Baron Avenue to be approved by Public Works;
- Drainage study and compliance;
- Full off-site improvements.

Applicant's Justification

The applicant indicates the project has not commenced because the County has been working with the Bureau of Land Management (BLM) to secure a land lease. The proposed construction date is October 1, 2023.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-22-900160 (ZC-19-0949)	First extension of time for a zone change, waivers, and design review for a public park	Approved by ZA	April 2023
ZC-19-0949	Zone change, waivers, and design review for a public park	Approved by BCC	February 2020
ZC-0178-15	Zone change, waivers, and design review for a single family development	Approved by BCC	May 2015
SC-0878-14	Street name change for Glenora Cellars Avenue to Ries Rockets Way from Lindell Road to Westwind Road	Approved by PC	December 2014
UC-0884-07	Expansion of an existing electrical substation	Approved by PC	September 2007
ZC-1573-03	Reclassified the northern 12.8 acres of the subject parcel to P-F zoning for an elementary school	Approved by BCC	November 2003

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

The applicant has been working with BLM to secure the land lease, with no estimated time for completion of the leasing process. Staff believes the applicant has taken steps towards commencing the development of this project, for example, with the submittal of a rough grading and a building permit. The applicant has worked with various departments to obtain approval of the related permits for the development of this project. It is for this reason that staff can support the extension of time request.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITTONS:

Comprehensive Planning

- Until February 5, 2025 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: MATT DURHAM

**CONTACT: MATT DURHAM, SOUTHWICK LANDSCAPE ARCHITECTS, 1700 W.
HORIZON RIDGE PARKWAY, SUITE 203, HENDERSON, NV 89012**

DRAFT



LAND USE APPLICATION 9A

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) 2C-19-0949 _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>13-400037</u> DATE FILED: <u>4/3/23</u> PLANNER ASSIGNED: <u>TJCF</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/10/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/07/23</u> FEE: <u>waived</u>
	PROPERTY OWNER	NAME: <u>Clark County Nevada, BLM Lease</u> ADDRESS: <u>500 S Grand Central Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u> TELEPHONE: <u>702-455-5817</u> CELL: _____ E-MAIL: <u>lisak@clarkcountynv.gov</u>
	APPLICANT	NAME: <u>Clark County, Department of Real Property Management</u> ADDRESS: <u>500 S Grand Central Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u> TELEPHONE: <u>702-455-8656</u> CELL: <u>702-610-6854</u> E-MAIL: <u>justin.sagers@clarkcountynv.gov</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Matt Durham</u> ADDRESS: <u>1700 W. Horizon Ridge Parkway, Suite 203</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>702-597-3108 ext. 14</u> CELL: _____ E-MAIL: <u>matt@slaiandarchitects.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-25-201-020

PROPERTY ADDRESS and/or CROSS STREETS: LeBaron Avenue & Lindell Road

PROJECT DESCRIPTION: Neighborhood Park

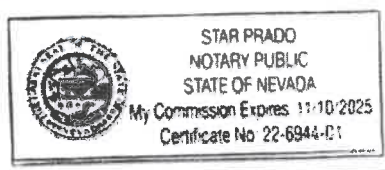
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON January 31, 2023 (DATE)
 By LISA KREMER, DIRECTOR

NOTARY PUBLIC: Star Prado



*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.

23-400037



January 26, 2023

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

RE: LeBaron Lindell Neighborhood Park (a Clark County Real Property Management Project)
Administrative Extension of Time for the Waiver of Development Standards and Design Review (ZC-19-0949)- Justification Letter

This letter of justification is to request an administrative extension of time for the **waiver of development standards and design review**, ZC-19-0949, for the LeBaron Lindell Neighborhood Park located on the west side of Lindell Road between Jo Rae Avenue to the south and LeBaron Avenue to the north.

Administration Time Extension Request: An extension for **2 years** is requested for the waiver of development standards described below, ZC-19-0949. The project has not started because the County has been working with BLM to secure a land lease for the proposed project site. The County is at the mercy of BLM to complete their internal processed for said lease granting permission to construct proposed improvements. BLM has not provided the County a date as to when the lease process will be completed. The project still needs to complete the permit process, complete new utility services with outside agencies, advertise the project and Construct. Currently, the proposed construction start date is October 1, 2023. Given this timeframe, we request an **extension of time of 2 years** to complete these steps outlined above to satisfy planning department requirements.

Waiver Request #1:

To reduce the right of way width required per Section 30.52.030.a.1.D from 60 feet to 47 feet along LeBaron Avenue.

Justification:

This neighborhood is surrounded by residential developments with exception to the two schools on the adjoining streets and thus acts as a local residential street. Per Section 30.52.030.a.1.E of Title 30 a local residential street requires a minimum width of 37 feet from back of curb to back of curb along local residential streets. Reducing the right of way width would result in a minimum width of 37 as would be required for a local residential street.

Should you have any questions, please contact me at (702) 597-3108.

Sincerely,

Matt Durham, PLA
NV #895

06/07/23 BCC AGENDA SHEET

COMMERCIAL &
MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

LAS VEGAS BLVD S/PEBBLE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0163-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:

ZONE CHANGE to reclassify 6.9 acres from an H-1 (Limited Resort and Apartment) Zone to a C-2 (General Commercial) Zone.

USE PERMITS for the following: 1) High Impact Project; 2) multiple family development; and 3) reduce the separation from on-premises consumption of alcohol establishments to a residential use (multiple family).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce the required number of loading spaces; 3) eliminate cross access; 4) alternative landscaping adjacent to a less intensive (multiple-family) use; 5) eliminate street landscaping; 6) allow modified driveway design standards; and 7) allow non-standard improvements within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) mini-warehouse; 3) pharmacy; 4) restaurants with drive-thru; 5) multiple family development; and 6) finished grade on 28.1 acres in a C-2 (General Commercial) Zone and an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Pebble Road within Enterprise (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-501-004; 177-20-501-007; 177-20-501-008; 177-20-501-014 through 177-20-501-016; 177-20-501-024

USE PERMITS:

1. High Impact Project.
2. Multiple family development.
3. Reduce the separation between on-premises consumption of alcohol establishments and a residential use to 63 feet where a minimum separation of 200 feet is required per Table 30.44-1 (a 68.5% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase building height (multiple family) to 69 feet where a maximum height of 50 feet is the standard per Table 30.40-3 (a 38% increase).

- b. Increase building height (mini-warehouse) to 53 feet where a maximum height of 50 feet is the standard per Table 30.40-4 (a 6% increase).
2. Reduce the required number of loading spaces to 2 spaces where a maximum of 5 spaces are required per Table 30.60-6 (a 60% increase).
3. Eliminate cross access where cross access shall be provided to non-residential land uses that are similar or complementary with consistent levels of intensity and similar parking per Table 30.56-2.
4. Allow alternative landscaping adjacent to a less intensive (multiple family) use where required per Table 30.64-2 and Figure 30.64-11.
5. Eliminate street landscaping including the detached sidewalk where required per Table 30.64-2 and Figure 30.64-17.
6. Reduce throat depth to 134 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 10.7% reduction).
7. Allow non-standard improvements (landscaping, detached sidewalk, pavers) within the right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Alternative parking lot landscaping including diamond-shaped landscape planters.
2. Mini-warehouse.
3. Pharmacy.
4. Restaurants with drive-thru.
5. Multiple family development.
6. Increase finished grade to 71 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 97.3% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.9 (commercial development)/21.2 (multiple family development)/28.1 (overall)
- Number of Units: 800
- Density (du/ac): 37.9
- Project Type: Commercial and multiple family development
- Number of Stories: 5 (multiple family)/4 (mini-warehouse)/1 (restaurants)/1 (pharmacy)
- Building Height (feet): 69 (multiple family)/53 (mini-warehouse)/25 (restaurants)/32 (pharmacy)/27 (entrance canopy/structure)
- Square Feet: 106,000 (mini-warehouse)/2,600 (restaurants A & B)/2,470 (restaurant C)/15,400 (pharmacy)
- Open Space Required/Provided (square feet): 80,000/201,635
- Parking Required/Provided: 1,596/1,633

Site Plan

This request is for a conforming zone change to reclassify 6.9 acres of a 28.1 acre site from an H-1 zone to a C-2 zone to permit a commercial development consisting of a mini-warehouse, pharmacy, and 3 restaurants with drive-thru lanes, located on the east portion of the site. A use permit is requested to permit the multiple family development, consisting of 3 buildings, on the west portion of the site, consisting of 21.2 acres within the H-1 zoning district. The proposed mini-warehouse is located at the northeast portion of the site, with the pharmacy located 82 feet to the south of the building. Three restaurants (Pads A through C) with drive-thru lanes are located to the south of the pharmacy. Two of the 3 restaurants feature dual drive-thru lanes while the third features a single drive-thru lane. Pad C features an outside dining area located on the east side of the building. A use permit is also requested to reduce the separation requirement between the restaurant buildings and the multiple family development to the west for on-premises consumption of alcohol. Below is a table reflecting the commercial building setbacks from the north, south, east, and west (future) property lines of the site:

Building Setback from Property Lines (in feet)				
Building:	Property Line			
	North	East	South	West (future)
Mini-warehouse	20	38	730	55
Pharmacy	22	73	530	54
Pad A (restaurant)	560	50	73	63
Pad B (restaurant)	280	32	360	101
Pad C (restaurant)	440	66	196	84

All buildings within the commercial development are connected through north/south cross access drive aisles. A waiver of development standards is requested to eliminate the cross access between the proposed commercial development and the existing tavern, convenience store and gasoline station located to the northeast of the project site. A waiver is also requested to eliminate cross access to the undeveloped parcels to the south of the project site. A third waiver is requested to reduce the number of required loading spaces for the commercial development.

The second component of this request is for a proposed multiple family development, consisting of 3 buildings, located on the west portion of the site. The plans depict a multiple family development located on a 21.2 acre site consisting of 800 dwelling units with a density of 37.9 dwelling units per acre. Multiple family Building C is orientated in an east/west direction while Buildings A and B are located immediately to the south, separated by 2 rows of parking spaces and a vehicle drive aisle. Below is a table reflecting the multiple family building setbacks from the north, south, east (future), and west property lines of the site:

Building Setback from Property Lines (in feet)				
Building:	Property Line			
	North	East (future)	South	West
Building A	400 (from Pebble Road)	99	89	510
Building B	410	565	88	77
Building C	88	74	623	169

Five foot wide detached sidewalks are provided along Pebble Road and Las Vegas Boulevard South. The detached sidewalks connect to internal pedestrian walkways serving both the commercial and multiple family developments within the project site. Two points of gated pedestrian access are provided between the multiple family development and the commercial development to the east. Access to the project site is granted via 2 commercial driveways along Pebble Road and a single commercial driveway adjacent to Las Vegas Boulevard South. A waiver of development standards is required to reduce the throat depth for the commercial driveway along Las Vegas Boulevard South to 134 feet. An entry feature, located above the primary vehicle drive aisle to the site, is set back 117 feet from the east property line along Las Vegas Boulevard South. An "exit only" gate is located at the northeast corner of the mini-warehouse, adjacent to Pebble Road. A "crash gate/emergency exit only" is located at the southeast corner of the site, along Las Vegas Boulevard South. The commercial and multiple family development requires 1,596 parking spaces where 1,633 parking spaces are provided.

Landscaping

The plans depict a 40 foot wide landscape area, with a 5 foot wide detached sidewalk, along Las Vegas Boulevard South. The landscape area consists of 24 inch box trees, shrubs, and groundcover. The proposed landscaping and detached sidewalk are located within Las Vegas Boulevard South, requiring a waiver for non-standard improvements within the right-of-way. An additional waiver of development standards is necessary to eliminate street landscaping along Las Vegas Boulevard South as the required landscaping is being provided within the street, and not within the boundaries of the project site. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is provided along Pebble Road. The street landscape area consists of trees, shrubs, and groundcover. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. The development requires 166 trees within the interior of the parking lot where a combination of 195 medium and large trees have been equitably distributed throughout the site. The use of diamond-shaped landscape planters is also part of the alternative parking lot landscaping request. Although not required, perimeter landscaping has also been provided along the west and south perimeters of the multiple family and commercial development. The perimeter landscape area measures between 5 feet to 10 feet in width along the south and west property lines. The landscape area along the northwest property line measures 20 feet in width. The perimeter landscape areas consist of small, medium, and large trees with shrubs and groundcover.

The multiple family development requires 80,000 square feet of open space where 201,635 square feet of open space has been provided. Open space areas are equitably distributed throughout Buildings A through C, consisting of a clubhouse, gym, pickleball court, sports court, fire pit, and pavilion, hammock, cabana, and pool areas.

A waiver of development standards is requested to allow alternative landscaping adjacent to a less intensive (multiple family) use. Code requires 1 large, 24 inch box Evergreen tree planted 20 feet on center within a 5.5 foot wide landscape area between the commercial and multiple family development. A landscape area measuring between 5 feet to 15 feet, along the future property line dividing the commercial and multiple family development, has been provided in

lieu of the Code standard. The landscape area between the uses consists of small, medium, and large trees planted 30 feet to 35 feet on center.

Elevations

The plans depict three, 5 story multiple family buildings ranging between 66 feet to 69 feet in height. The buildings consist of varying rooflines that include parapet walls to screen the rooftop mounted equipment. The exterior of the buildings consist of stucco, CMU block, painted decorative metal for accent purposes, and aluminum storefront window systems. The multiple family buildings will be painted with contrasting colors including varying shades of gray and white. A waiver of development standards is necessary to increase the height of the multiple family buildings up to 69 feet.

The mini-warehouse facility measures between 49 feet to 53 feet in height. The building consists of varying rooflines that include parapet walls to screen the rooftop mounted equipment. The exterior of the facility consists of stucco and an aluminum storefront window system. The mini-warehouse will be painted with contrasting colors consisting of blue, orange, gray, and off-white. A waiver of development standards is necessary to increase the height of the mini-warehouse facility up to 53 feet.

The pharmacy measures between 28 feet to 32 feet in height to the top of the parapet walls. A metal, drive-thru canopy measuring up to 23 feet in height is located along the west side of the building. The exterior of the building consists of stucco with an aluminum storefront window system. The pharmacy will be painted with neutral, earth tone colors.

Restaurants A through C measure between 20 feet to 26.5 feet in height. The buildings feature varying rooflines that include parapet walls to the screen rooftop mounted equipment. The exterior of the restaurants consist of stucco, an aluminum storefront window system, decorative metal trellises and canopies.

Floor Plans

The plans depict 3 multiple family buildings with the following unit counts: 1) Building A (273 units); 2) Building B (283 units); and 3) Building C (244 units). The multiple family buildings feature units with 1 to 2 bedrooms. Enclosed surface level parking is located on the first floor of each multiple family building. Building B also features a clubhouse including amenities such as a fitness center, club room, business center, covered patio and roof deck, and café. The leasing office, mail room, and pool equipment roof are also located on the first floor of the clubhouse.

The pharmacy consists of open shell space with an area measuring 15,400 square feet. Restaurants A and B each measure 2,600 square feet while restaurant C consists of 2,470 square feet. The mini-warehouse facility consists of 4 floors with a cumulative area of 106,000 square feet. Restaurant C includes an outside dining area measuring 1,200 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting a zone change from H-1 to C-2 for the commercial portion of the property. This request is due to the mini-storage facility which is not a permitted use within the H-1 zoning district. C-2 zoning is less intense than the existing H-1 designation. Therefore, a zone change to C-2 is conforming and; therefore, will not impact the surrounding area. Multiple family residential is ideal for the property and compatible with the surrounding uses and would provide additional housing options needed to address the high influx of new residents moving to the Las Vegas valley. The property is also located within a 5 minute drive to the Las Vegas Strip, providing housing opportunities for employees working on the Strip. The existing multiple family developments throughout the valley are either at or near full capacity. In order to keep up with the demand, additional projects such as this must be developed. Because the proposed multiple family portion of the project will include 800 units, the applicant is also requesting a special use permit for a High Impact Project. Along Las Vegas Boulevard South, high density projects of more than 500 units have been approved over the last several years. Higher density along the western side of Las Vegas Boulevard South is appropriate adjacent to the I-15 and other existing and future dense projects, so long as the lower density is kept on the eastern side of Las Vegas Boulevard South. Additionally, a special use permit is requested to reduce the separation between the on-premises consumption of alcohol for Pad A (69 feet), Pad B (105 feet) and Pad C (84 feet) and the multiple family residential development where 200 feet is required.

This is a typical request for mixed-use developments and has been previously approved for several other locations throughout the Las Vegas Valley, including the Tuscan Highlands multiple family development on Starr Avenue and I-15 and the Lotus Apartments on Spring Mountain and Valley View. Residents of the multiple family development can enjoy dinner and drinks within walking distance of their homes, which is typically a selling point for mixed-use developments. The applicant is requesting a design review for alternative parking lot landscaping and to utilize diamond planters. The majority of the parking spaces are either internal or covered; therefore, not requiring shade from landscaping. Additionally, the perimeter of the project will be heavily landscaped, which will provide added shade for the outside parking spaces and visual relief for the project as a whole. To compensate for the parking lot landscape fingers, the applicant is providing significantly more landscaping and open space than what is required as shown on the open space plan included with the submittal. The proposed building height is less than the maximum height of 100 feet for commercial uses permitted under the H-1 zoning designation. Additionally, there are several buildings in the immediate area that are similar or higher in height. For example, the multiple family development directly to the west is also 1 level of podium parking and 4 levels of residential. The Cancun Resort less than a mile north of the property was approved at 364 feet. Therefore, the requested height increase is appropriate and compatible for the area, and will not negatively impact the surrounding uses. Based on the layout of the site, the applicant believes a reduced number of loading spaces is sufficient and will not create a negative impact to residents and guests. To compensate for the non-standard improvements within the right-of-way request, the applicant will enter into a License and Maintenance Agreement with the County. The reason for the street landscaping waiver is due to the fact that the required detached sidewalk, including the required street landscaping, will not be installed within the boundaries of the site along Las Vegas Boulevard South. However, the future landscape plans show the landscaping within the boundaries of the

site. The applicant has provided a smaller landscape buffer between the commercial and multiple family uses. The intent here is to keep the 2 portions of the project separate for safety purposes while still acting as a mixed-use project. The throat depth waiver is required based on the future right-of-way location of Las Vegas Boulevard South. The applicant has designed the site in such a way to allow for significant on-site queuing with a roundabout located in front of the call box and the entry gates significantly pushed back into the site past the call box. This layout is similar to previously approved multiple family projects within the County in which the throat depth reduction was approved. The applicant has been working with the property owner of the convenience store on an agreement for cross access. However, as of today's date, the convenience store property owner has not agreed to allow cross access. The applicant hopes to obtain approval prior to the commencement of construction.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0027	Reclassified a 7.6 acre portion of the project site from R-3 to H-1 zoning for a multiple family residential development; multiple family residential development portion of this application - expired	Approved by BCC	April 2019
VC-0242-00	Allowed outside storage of automobiles	Denied by BCC	April 2000
UC-1244-95	Allowed an apartment complex in an H-1 zone on a portion of this site - expired	Approved by BCC	October 1995
ZC-1243-95	Reclassified a 2.5 acre portion of the site from R-E to R-3 zoning for an apartment	Approved by BCC	September 1995
ZC-1065-94	Reclassified a 15 acre portion of this site from R-E to R-3 zoning for an apartment complex	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2 & H-1	Vehicle rental facility & automobile related uses
South	Entertainment Mixed-Use	H-1	Undeveloped
East	Entertainment Mixed-Use	C-2 & H-1	Tavern, convenience store, gasoline station, & multiple family residential
West	Entertainment Mixed-Use	C-2 & R-E	Multiple family condominiums with long/short term lodging & undeveloped

Related Applications

Application Number	Request
TM-23-500044	A 2 lot mixed-use commercial and residential tentative map consisting of 28.1 acres is a companion item on this agenda.

Related Applications

Application Number	Request
VS-23-0164	A vacation and abandonment of 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

Comprehensive Planning

Zone Change

The C-2 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community, yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The conforming zone change request is within the range of intensity allowed by the Master Plan. The proposed C-2 zoning will permit commercial uses serving the proposed multiple family development to the west, in addition to the existing residential development within the immediate area. Staff finds the proposed zoning is consistent and compatible with the existing and approved land uses in the area; therefore, staff recommends approval.

Use Permits

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

Use Permit #1

The use permit for a High Impact Project, to establish a multiple family development at a density of 37.9 units per acre, in conjunction with a commercial development, complies with the goals and policies within the Master Plan. For example, the goal of Policy 6.2.1 is to ensure the design and intensity of a new development is compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. In addition, Policy 3.6.2 encourages compact, mixed-use, and transit oriented development, or any combination thereof, in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. In this development, residents will be able to walk to the restaurant and retail uses, which will reduce automobile dependency. Lastly, the density is appropriate at this location since the site is surrounded by multiple family developments, commercial developments, and undeveloped parcels with a planned land use of Entertainment Mixed-Use. Therefore, staff recommends approval.

Use Permit #2

Multiple family residential developments require the approval of a use permit in the H-1 zoning district to permit the use and demonstrate the development is appropriate for the given location. The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels

and abilities. The project also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. Per the Master Plan, multiple family residential uses are encouraged as a supporting use in the Entertainment Mixed-Use category to support the expansion of housing options within close proximity of services, amenities, and jobs. The proposed use complies with several goals and policies of the Master Plan; therefore, staff recommends approval.

Use Permit #3

While staff is typically concerned with a significant reduction in separation between on-premises consumption of alcohol establishments to residential uses, the actual distance between the alcohol use and the nearest residential building varies between 147 feet to 197 feet. Furthermore, a 6 foot high block wall will be constructed between the future property line dividing the restaurants and the multiple family development. The proposed use is consistent with the commercial and multiple family development and should not negatively impact the surrounding area. Therefore, staff recommends approval.

Waivers of Development Standards

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

Waiver of Development Standards #1a & #1b

The increased building height is necessary to accommodate the varying rooflines and architectural intrusions, in addition to screening the mechanical units with parapet walls. The screening for the mechanical units provides an additional architectural enhancement to the buildings. Furthermore, the multiple family buildings immediately to the west of the project site were approved at a height of 63 feet. Therefore, staff recommends approval.

Staff has no objection to the increase in building height for the mini-warehouse facility. The request to increase height is minor in nature and is for only a small portion of the parapet wall measuring 43 feet in length. The increase in building height provides further roofline variation, in addition to screening rooftop mounted equipment. Therefore, staff recommends approval.

Waiver of Development Standards #2

Loading spaces are located immediately to the northwest of the pharmacy and to the west of restaurant Pad Site B. Eliminating the required loading spaces should have minimal to no impact on the internal operations of the commercial development. Therefore, staff recommends approval.

Waiver of Development Standards #3

The intent of providing cross access is to promote public safety, efficient on-site vehicular circulation, shared parking with adjacent properties, and to minimize curb cuts along streets. Staff typically does not support requests to waive cross access to adjacent properties with similar

land uses and parking requirements. However, staff does not object to this request for the following reasons: 1) The adjacent parcel to the east of the mini-warehouse facility consists of a convenience store with a gasoline station and a tavern with a sufficient number of parking spaces; 2) north/south cross access is provided throughout the entirety of the commercial development along the east portion of the site; and 3) it is impossible to determine if the future land use of the adjacent parcels to the south will consist of similar or consistent levels of intensity and similar parking. Therefore, staff recommends approval of this request.

Waiver of Development Standards #4

In lieu of the required landscaping adjacent to a less intensive use, consisting of 1 large, 24 inch box Evergreen tree planted 20 feet on center within a 5.5 foot wide landscape area, an alternative landscape configuration is proposed along the future west property line of the commercial development. The proposed landscape area measures between 5 feet in width, at the northwest corner of the site, to 15 feet in width at the southwest corner of the development. However, when the landscape areas between the future east and west property lines of the multiple family and commercial developments are combined, the width of the landscape area measures between 5 feet to 25 feet in width. A combination of small, medium, and large trees, planted between 30 feet to 35 feet on center, are proposed within the landscape area. Staff finds the proposed landscaping provides an alternative that meets the intent of Code, but also provides a design that enhances and improves the aesthetics of the project site; therefore, staff recommends approval of this request.

Waiver of Development Standards #5

Staff can support the request to eliminate the required street landscaping as required along Las Vegas Boulevard South. The applicant has provided a landscape area measuring 40 feet in width within the right-of-way of Las Vegas Boulevard South, consisting of 24 inch box trees, shrubs, and groundcover. However, since the landscaping is located within the public right-of-way, and not within the boundaries of the project site, the waiver to eliminate landscaping is required. Approximately 15 feet to 23 feet of landscaping is located between the commercial buildings and the eastern property line, located along Las Vegas Boulevard South. In the event additional right-of-way is needed in the future, the required street landscaping and detached sidewalk can be constructed within the boundaries of the project site; therefore, staff recommends approval.

Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the commercial and multiple family development. The site requires 166 trees for the interior parking lot area where the site has been designed to include an additional 29 trees (195 trees overall) that will be distributed throughout the interior of the development. Staff finds the proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area. Therefore, staff recommends approval of this request.

Design Reviews #2 through #4

The design of the proposed restaurant, pharmacy, and mini-warehouse buildings feature variations in building height contributing to breaking-up the mass of the commercial buildings. Staff finds the commercial buildings comply with the Master Plan, which encourages varying

building heights and breaking-up the mass of the buildings. The proposed landscaping also complies with the Master Plan, which encourages perimeter and interior parking lot trees for shade and visual relief. Height, color, and material variations have been incorporated into the design of the buildings, and the proposed development is compatible with the proposed multiple family residential use to the west and the surrounding land uses within the area. Furthermore, the project site is a cohesive and unified development with cross access between the commercial pad sites and pedestrian access between the commercial and multiple family development. Therefore, staff recommends approval.

Design Review #5

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new developments to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. The proposed development is consistent and compatible with the multiple family development to the south and the previously approved commercial development to the east. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. Furthermore, the buildings include off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights; therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #6

Staff can support the reduction of throat depth from the future right-of-way of Las Vegas Boulevard South. The applicant provided additional landscape buffers adjacent to both entrances into the site. The buffers improve the visibility of traffic trying to access the site, allowing vehicles to safely exit the right-of-way.

Waiver of Development Standards #7

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #7 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Design Review #6

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

Department of Aviation

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

continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within 4 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;
- Right-of-way dedication to include 45 feet to the back of curb for Pebble Road and Las Vegas Boulevard South per the approved Record of Survey;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use

approvals; and that the installation of detached sidewalks will require dedication to back of curb and 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

- 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.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0443-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: JAT LAND DEVELOPMENT, LLC
CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

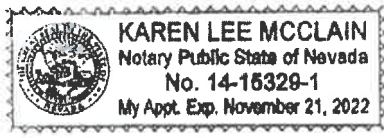
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>2C-23-0163</u> DATE FILED: <u>3/20/23</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATES <u>5/10/23</u> PC MEETING DATE: <u>-</u> @ <u>6:00 P.M.</u> BCC MEETING DATE: <u>6/7/23 @ 9:00 A.M.</u> FEE: <u>\$5,325</u>
	PROPERTY OWNER NAME: <u>JAT PEBBLE LLC, JAT PEBBLE 2 LLC and JAT PEBBLE 3 LLC</u> ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89502</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>jeff.troesh@wpipm.com</u>
	APPLICANT NAME: <u>JAT Land Development LLC</u> ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>jeff.troesh@wpipm.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17720501004, 17720501024, 17720501007, 17720501008, 17720501014, 17720501015, 17720501016
 PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Boulevard and Pebble Road
 PROJECT DESCRIPTION: Multi-Family and Commercial Development

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

[Signature] JEFF TROESH
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON May 5, 2022 (DATE)
 By Jeffrey Troesh
 NOTARY PUBLIC: Karen Lee McClain



*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.

February 23, 2023

20-23-0163

VIA ONLINE SUBMITTAL

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
500 S. Grand Central Parkway
Las Vegas, Nevada 89115

Re: *Justification Letter – Tentative Map, Special Use Permits, Design Review, Vacation and Waivers for Multi-Family Residential and Commercial Development Las Vegas Boulevard and Pebble*

PLANNER COPY

To Whom It May Concern:

This firm represents JAT Land Development, LLC (the "Applicant") in the above referenced matter. The proposed project is 27.94 acres located near the southwest corner of Las Vegas Boulevard and Pebble (the "Property"). The Property is more particularly described as Assessor's Parcel Numbers 177-20-501-004, 007, 008, 014, 015, 016 and 024. The Applicant is requesting a tentative map, special use permits, design review, vacation and a waiver of development standards for a high impact mixed use development in an H-1 zone.

SPECIAL USE PERMITS

1. Multi-Family Residential and High Impact Project

The Property is zoned Limited Resort and Residential (H-1) with an underlying master plan designation of Entertainment Mixed-Use (EM). Multi-family residential developments are permitted within H-1 zoned districts upon the approval of a special use permit and compliance with R-5 standards. The Property fronts onto Las Vegas Boulevard and is surrounded by H-1 zoning to the north and south, and existing multi-family residential developments to the east and west. Multi-family residential is ideal for the Property and compatible with the surrounding uses and would provide additional housing options needed to address the high influx of new residents moving to the Las Vegas valley. The Property is also located within a 5 minute drive to the Las Vegas Strip, providing housing opportunities for employees working on the Strip.

With the high influx of new residents moving to Clark County on a daily basis, the need for multi-family residential continues to grow. The existing multi-family developments

throughout the valley are either at or near full capacity. In order to keep up with the demand, additional projects such as this must be developed.

Because the proposed multi-family portion of the project will include 800 units, the Applicant is also requesting a special use permit for a high impact project. Along Las Vegas Boulevard, high density projects of more than 500 units have been approved over the last several years. Higher density along the western side of Las Vegas Boulevard is appropriate adjacent to the I-15 and other existing and future dense projects, so long as the lower density is kept on the eastern side of Las Vegas Boulevard.

2. Retail, Mini-Storage, Pharmacy, On-Site Consumption of Alcohol, Packaged Liquor Sales and Packaged Beer and Wine Sales

The Applicant is also requesting special use permits to allow for four (4) retail pads, including restaurants with on-site consumption of alcohol (service bars and supper clubs), a pharmacy with packaged liquor sales and a mini-storage facility. The commercial portion of the project will be located along the Las Vegas Boulevard frontage with the multi-family to the west. Commercial uses placed along Las Vegas Boulevard is appropriate and compatible with the overall project and what is trending along the LVB corridor.

Packaged liquor sales is a common accessory use when in conjunction with a pharmacy. Many, if not most, of the existing pharmacies in Clark County sell packaged liquor and beer and wine. Additionally, many restaurants sell alcohol as part of their menu. Neither use will pose a negative impact on the existing uses in the area or future residents of the multi-family project. If approved, the Applicant or future tenant will be required to obtain their required liquor licenses following entitlements.

Additionally, a special use permit is requested to reduce the separation between the on-premises consumption of alcohol for Pad A (69'), Pad B (105') and Pad C (84') and the multi-family residential development where 200' is required. This is a typical request for mixed-use developments and has been previously approved for several other locations throughout the Las Vegas Valley, including the Tuscan Highlands multi-family development on Starr and I-15 and the Lotus apartments on Spring Mountain and Valley View. Residents of the multi-family can enjoy dinner and drinks within walking distance of their homes, which is typically a selling point for mixed-use developments.

DESIGN REVIEW

1. Multi-Family Residential

The project will consist of 800 units with a mix of 421 one-bedroom units and 379 two-bedroom units for an overall density of 38 units per acre where 50 per acre is permitted under R-5 standards. The units will be dispersed among three separate buildings comprised of painted

stucco, various architectural enhancements and pop outs, painted wrought iron railings, and large decorative windows.

The buildings will be a total of five (5) stories with the ground floor reserved for parking and the top four (4) floor for residential units. The maximum height of the buildings will be 69-feet, which will require a waiver, discussed in more detail below, to increase the building height above the allowable 50-feet. The current zoning allows for up to 100-feet in height for commercial uses. Therefore, the request to increase the multi-family buildings to 69-feet is significantly less intense than what could be developed on the Site.

The project will include several amenities for residents, including a large clubhouse with office and meeting space, outdoor pools and spas, outdoor resident lounges, a pickleball court and sports court. Spectacular views of the Las Vegas valley and Strip will be provided from the residential balconies.

The Applicant is requesting a design review for alternative parking lot landscaping for the required parking lot landscape fingers and to utilize diamond planters. The majority of the parking spaces are either internal or covered, therefore not requiring shade from landscaping. Additionally, the perimeter of the project will be heavily landscaped, which will provide added shade for the outside parking spaced and visual relief for the project as a whole. The Applicant is providing the required number of trees placed throughout the project, therefore meeting the overall requirement for shade a visual relief. To compensate for the parking lot landscape fingers, the Applicant is providing significantly more landscaping and open space than what is required as shown on the open space plan included with the submittal. A total of 481 trees are provided where only 253 trees are required. As shown on the landscape plan, the total number of trees provided along the perimeter and throughout the parking lots is 282. An additional 199 trees are also provided within the courtyards and the various landscaped areas on the Site.

The Applicant is providing a total of 1,633 parking spaces where only 1,596 parking spaces are required. Access to the multi-family will be from gated entries – one on Las Vegas Boulevard and one on Pebble Road. An additional access point to the commercial center will be located on Pebble, west of the mini-storage. Additionally, a crash gate is provided at the southern driveway on Las Vegas Boulevard for emergency access.

2. Commercial

The commercial portion of the mixed use project will include four (4) retail pads and a mini storage facility for a total of 129,070 square feet. Pads A, B and C are proposed for general retail and restaurant uses. Pad D is proposed as a Walgreen Pharmacy. The mini storage facility is located along the northeast corner of the Property.

All commercial uses will have access from the main entry from Las Vegas Boulevard. The gates to the residential will be located behind the driveways into the commercial parking

areas. Pads A and B will have drive-thrus with the required stacking provided. Pad C will have outside seating along the eastern side of the building.

The retail/restaurant buildings will be single story with a maximum height of 23-feet. The pharmacy building will be single story with a maximum height of 32-feet. The mini storage building will be 4-stories with a maximum height of 50-feet. The buildings will be design with materials to complement one another and provide an overall cohesive development.

The Applicant is also requesting a design review for increased grade for up to 71-inches where 36-inches is permitted. Due to the existing slope and topography of the Property, the increase is required in order to appropriately develop the Property. The max fill is concentrated centrally on the Site and will therefore not negatively impact any surrounding uses.

WAIVER OF DEVELOPMENT STANDARDS

The Applicant is requesting a waiver to increase building height to 69-feet where 50-feet is permitted under R-5 standards. The proposed height is less than the maximum height of 100-feet for commercial uses permitted under the H-1 zoning designation. Additionally, there are several buildings in the immediate area that are similar or higher in height. For example, the multi-family directly to the west is also one (1) level of podium parking and four (4) levels of residential. The Cancun Resort less than a mile north of the Property was approved at 364-feet. Therefore, the requested height increase is appropriate and compatible for the area, and will not negatively impact the surrounding uses.

The Applicant is requesting a waiver to reduce the number of required loading spaces to two (2) where five (5) is required. Based on the layout of the Site, the Applicant believes a reduced number of loading spaces is sufficient and will not create a negative impact to residents and guests.

The Applicant is also requesting a waiver to allow for non-standard improvements within the Las Vegas Boulevard right-of-way for the detached sidewalks and landscaping. To compensate for this request, the Applicant will enter into a License and Maintenance Agreement with the County.

Also along Las Vegas Boulevard, the Applicant is requesting a waiver to eliminate landscaping along Las Vegas Boulevard where landscaping per Figure 30.64-17, including a 5-foot wide detached sidewalk, is required. The reason for this waiver is due to the fact that the required detached sidewalk, including the required street landscaping, will not be installed within the boundaries of the Site along Las Vegas Boulevard. However, the future landscape plans show the landscaping within the boundaries of the Site.

The Applicant is also requesting a waiver for alternative landscaping adjacent to a less intense use pursuant to Figure 30.64-11. In this case, the less intense use is the multi-family residential component of the project. The Applicant has provided a smaller landscape buffer

between the two uses. The intent here is to keep the two portions of the project separate for safety purposed while still acting as a mixed use project.

The Applicant is also requesting to reduce the throat depth along Las Vegas Boulevard to 134-feet where 150-feet is required. This waiver is required based on the future right-of-way location of Las Vegas Boulevard. The Applicant has designed the Site in such a way to allow for significant on-site queuing with a roundabout located in front of the call box and the entry gates significantly pushed back into the Site past the call box. This layout is similar to previously approved multi-family project within the County in which the throat depth reduction was approved.

Finally, the Applicant is requesting to waive cross access with the existing convenience store to the northeast. The Applicant has been working with the property owner of the convenience store on an agreement for cross access. However, as of today's date, the convenience store property owner has not agreed to allow cross access. We hope to obtain approval prior to the commencement of construction, but in the event they are unable to obtain that approval, we are respectfully requesting a waiver.

VACATION

The Applicant is also requesting a vacation of 5-feet along Pebble to allow for detached sidewalks. The vacation exhibits and legal description are included with the overall submittal package.

TENTATIVE MAP

Finally, the Applicant is requesting a two lot commercial subdivision map to allow for efficient utility and water line installation during the construction process. A tentative map has been included with this submitted for review and consideration.

Thank you in advance for your consideration. We will continue working with Planning and Public Works staff to ensure any concerns are addressed. Please do not hesitate to let me know if you have any questions or need additional information.

Sincerely,

KAEMPFER CROWELL



Bob Gronauer

06/07/23 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

PEBBLE RD/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0164-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:

VACATE AND ABANDON a portion of a right-of-way being Pebble Road located between Las Vegas Boulevard South and Parvin Street (alignment) within Enterprise (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-501-004; 177-20-501-007; 177-20-501-008; 177-20-501-014 through 177-20-501-016; 177-20-501-024

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 5 foot wide portion of right-of-way being Pebble Road measuring 394 feet in length with an area of 1,971 square feet. The vacation and abandonment of right-of-way is necessary to accommodate the detached sidewalk along Pebble Road.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0027	Reclassified a 7.6 acre portion of the project site from R-3 to H-1 zoning for a multiple family residential development; multiple family residential development portion of this application - expired	Approved by BCC	April 2019
VC-0242-00	Allowed outside storage of automobiles	Denied by BCC	April 2000
UC-1244-95	Allowed an apartment complex in an H-1 zone on a portion of this site - expired	Approved by BCC	October 1995
ZC-1243-95	Reclassified a 2.5 acre portion of the site from R-E to R-3 zoning for an apartment	Approved by BCC	September 1995
ZC-1065-94	Reclassified a 15 acre portion of this site from R-E to R-3 zoning for an apartment complex	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2 & H-1	Vehicle rental facility & automobile related uses
South	Entertainment Mixed-Use	H-1	Undeveloped
East	Entertainment Mixed-Use	C-2 & H-1	Tavern, convenience store, gasoline station, & multiple family residential
West	Entertainment Mixed-Use	C-2 & R-E	Multiple family condominiums with long/short term lodging & undeveloped

Related Applications

Application Number	Request
ZC-23-0163	A zone change to reclassify 6.9 acres from an H-1 to a C-2 zone for a commercial development with use permits for a High Impact Project and a multiple family development on 28.1 acres is a companion item on this agenda.
TM-23-500044	A 2 lot mixed-use commercial and residential tentative map consisting of 28.1 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back of curb for Pebble Road and Las Vegas Boulevard South per the approved Record of Survey;
- 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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JAF LAND DEVELOPMENT, LLC

CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>V5-23-0164</u> DATE FILED: <u>7/20/23</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/10/23</u> PG MEETING DATE: <u>-</u> <u>6:00PM</u> BCC MEETING DATE: <u>6/7/23 @ 9:00 A.M.</u> FEE: <u>\$875.⁰⁰</u>
---	----------------	---

PROPERTY OWNER	NAME: <u>JAT PEBBLE LLC, JAT PEBBLE 2 LLC and JAT PEBBLE 3 LLC</u> ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>jeff.troesh@wpipm.com</u>
----------------	---

APPLICANT	NAME: <u>JAT Land Development LLC</u> ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>jeff.troesh@wpipm.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Bob Gronauer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr., Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 17720501004, 17720501007, 17720501008, 17720501014, 17720501015, 17720501016, and 17720501024

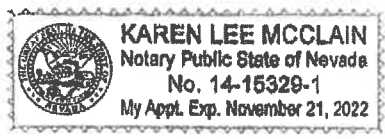
PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Boulevard and Pebble Road

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

 Property Owner (Signature)*
 STATE OF NEVADA Clark
 COUNTY OF _____
 SUBSCRIBED AND SWORN BEFORE ME ON August 17, 2022 (DATE)
 By Jeff Troesh
 NOTARY PUBLIC: Karen Lee McClain

Jeff Troesh

 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

KAEMPFER

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ATTORNEYS AT LAW

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Carson City, NV 89703
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Fax: 775.882.0257

February 23, 2023

VIA ONLINE SUBMITTAL

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
500 S. Grand Central Parkway
Las Vegas, Nevada 89115

***Re: Justification Letter – Tentative Map, Special Use Permits, Design Review, Vacation and Waivers for Multi-Family Residential and Commercial Development
Las Vegas Boulevard and Pebble***

PLANNER
COPY

To Whom It May Concern:

This firm represents JAT Land Development, LLC (the “Applicant”) in the above referenced matter. The proposed project is 27.94 acres located near the southwest corner of Las Vegas Boulevard and Pebble (the “Property”). The Property is more particularly described as Assessor’s Parcel Numbers 177-20-501-004, 007, 008, 014, 015, 016 and 024. The Applicant is requesting a tentative map, special use permits, design review, vacation and a waiver of development standards for a high impact mixed use development in an H-1 zone.

SPECIAL USE PERMITS

1. Multi-Family Residential and High Impact Project

The Property is zoned Limited Resort and Residential (H-1) with an underlying master plan designation of Entertainment Mixed-Use (EM). Multi-family residential developments are permitted within H-1 zoned districts upon the approval of a special use permit and compliance with R-5 standards. The Property fronts onto Las Vegas Boulevard and is surrounded by H-1 zoning to the north and south, and existing multi-family residential developments to the east and west. Multi-family residential is ideal for the Property and compatible with the surrounding uses and would provide additional housing options needed to address the high influx of new residents moving to the Las Vegas valley. The Property is also located within a 5 minute drive to the Las Vegas Strip, providing housing opportunities for employees working on the Strip.

With the high influx of new residents moving to Clark County on a daily basis, the need for multi-family residential continues to grow. The existing multi-family developments

throughout the valley are either at or near full capacity. In order to keep up with the demand, additional projects such as this must be developed.

Because the proposed multi-family portion of the project will include 800 units, the Applicant is also requesting a special use permit for a high impact project. Along Las Vegas Boulevard, high density projects of more than 500 units have been approved over the last several years. Higher density along the western side of Las Vegas Boulevard is appropriate adjacent to the I-15 and other existing and future dense projects, so long as the lower density is kept on the eastern side of Las Vegas Boulevard.

2. Retail, Mini-Storage, Pharmacy, On-Site Consumption of Alcohol, Packaged Liquor Sales and Packaged Beer and Wine Sales

The Applicant is also requesting special use permits to allow for four (4) retail pads, including restaurants with on-site consumption of alcohol (service bars and supper clubs), a pharmacy with packaged liquor sales and a mini-storage facility. The commercial portion of the project will be located along the Las Vegas Boulevard frontage with the multi-family to the west. Commercial uses placed along Las Vegas Boulevard is appropriate and compatible with the overall project and what is trending along the LVB corridor.

Packaged liquor sales is a common accessory use when in conjunction with a pharmacy. Many, if not most, of the existing pharmacies in Clark County sell packaged liquor and beer and wine. Additionally, many restaurants sell alcohol as part of their menu. Neither use will pose a negative impact on the existing uses in the area or future residents of the multi-family project. If approved, the Applicant or future tenant will be required to obtain their required liquor licenses following entitlements.

Additionally, a special use permit is requested to reduce the separation between the on-premises consumption of alcohol for Pad A (69'), Pad B (105') and Pad C (84') and the multi-family residential development where 200' is required. This is a typical request for mixed-use developments and has been previously approved for several other locations throughout the Las Vegas Valley, including the Tuscan Highlands multi-family development on Starr and I-15 and the Lotus apartments on Spring Mountain and Valley View. Residents of the multi-family can enjoy dinner and drinks within walking distance of their homes, which is typically a selling point for mixed-use developments.

DESIGN REVIEW

1. Multi-Family Residential

The project will consist of 800 units with a mix of 421 one-bedroom units and 379 two-bedroom units for an overall density of 38 units per acre where 50 per acre is permitted under R-5 standards. The units will be dispersed among three separate buildings comprised of painted

stucco, various architectural enhancements and pop outs, painted wrought iron railings, and large decorative windows.

The buildings will be a total of five (5) stories with the ground floor reserved for parking and the top four (4) floor for residential units. The maximum height of the buildings will be 69-feet, which will require a waiver, discussed in more detail below, to increase the building height above the allowable 50-feet. The current zoning allows for up to 100-feet in height for commercial uses. Therefore, the request to increase the multi-family buildings to 69-feet is significantly less intense than what could be developed on the Site.

The project will include several amenities for residents, including a large clubhouse with office and meeting space, outdoor pools and spas, outdoor resident lounges, a pickleball court and sports court. Spectacular views of the Las Vegas valley and Strip will be provided from the residential balconies.

The Applicant is requesting a design review for alternative parking lot landscaping for the required parking lot landscape fingers and to utilize diamond planters. The majority of the parking spaces are either internal or covered, therefore not requiring shade from landscaping. Additionally, the perimeter of the project will be heavily landscaped, which will provide added shade for the outside parking spaced and visual relief for the project as a whole. The Applicant is providing the required number of trees placed throughout the project, therefore meeting the overall requirement for shade a visual relief. To compensate for the parking lot landscape fingers, the Applicant is providing significantly more landscaping and open space than what is required as shown on the open space plan included with the submittal. A total of 481 trees are provided where only 253 trees are required. As shown on the landscape plan, the total number of trees provided along the perimeter and throughout the parking lots is 282. An additional 199 trees are also provided within the courtyards and the various landscaped areas on the Site.

The Applicant is providing a total of 1,633 parking spaces where only 1,596 parking spaces are required. Access to the multi-family will be from gated entries – one on Las Vegas Boulevard and one on Pebble Road. An additional access point to the commercial center will be located on Pebble, west of the mini-storage. Additionally, a crash gate is provided at the southern driveway on Las Vegas Boulevard for emergency access.

2. Commercial

The commercial portion of the mixed use project will include four (4) retail pads and a mini storage facility for a total of 129,070 square feet. Pads A, B and C are proposed for general retail and restaurant uses. Pad D is proposed as a Walgreen Pharmacy. The mini storage facility is located along the northeast corner of the Property.

All commercial uses will have access from the main entry from Las Vegas Boulevard. The gates to the residential will be located behind the driveways into the commercial parking

areas. Pads A and B will have drive-thrus with the required stacking provided. Pad C will have outside seating along the eastern side of the building.

The retail/restaurant buildings will be single story with a maximum height of 23-feet. The pharmacy building will be single story with a maximum height of 32-feet. The mini storage building will be 4-stories with a maximum height of 50-feet. The buildings will be design with materials to complement one another and provide an overall cohesive development.

The Applicant is also requesting a design review for increased grade for up to 71-inches where 36-inches is permitted. Due to the existing slope and topography of the Property, the increase is required in order to appropriately develop the Property. The max fill is concentrated centrally on the Site and will therefore not negatively impact any surrounding uses.

WAIVER OF DEVELOPMENT STANDARDS

The Applicant is requesting a waiver to increase building height to 69-feet where 50-feet is permitted under R-5 standards. The proposed height is less than the maximum height of 100-feet for commercial uses permitted under the H-1 zoning designation. Additionally, there are several buildings in the immediate area that are similar or higher in height. For example, the multi-family directly to the west is also one (1) level of podium parking and four (4) levels of residential. The Cancun Resort less than a mile north of the Property was approved at 364-feet. Therefore, the requested height increase is appropriate and compatible for the area, and will not negatively impact the surrounding uses.

The Applicant is requesting a waiver to reduce the number of required loading spaces to two (2) where five (5) is required. Based on the layout of the Site, the Applicant believes a reduced number of loading spaces is sufficient and will not create a negative impact to residents and guests.

The Applicant is also requesting a waiver to allow for non-standard improvements within the Las Vegas Boulevard right-of-way for the detached sidewalks and landscaping. To compensate for this request, the Applicant will enter into a License and Maintenance Agreement with the County.

Also along Las Vegas Boulevard, the Applicant is requesting a waiver to eliminate landscaping along Las Vegas Boulevard where landscaping per Figure 30.64-17, including a 5-foot wide detached sidewalk, is required. The reason for this waiver is due to the fact that the required detached sidewalk, including the required street landscaping, will not be installed within the boundaries of the Site along Las Vegas Boulevard. However, the future landscape plans show the landscaping within the boundaries of the Site.

The Applicant is also requesting a waiver for alternative landscaping adjacent to a less intense use pursuant to Figure 30.64-11. In this case, the less intense use is the multi-family residential component of the project. The Applicant has provided a smaller landscape buffer

between the two uses. The intent here is to keep the two portions of the project separate for safety purposed while still acting as a mixed use project.

The Applicant is also requesting to reduce the throat depth along Las Vegas Boulevard to 134-feet where 150-feet is required. This waiver is required based on the future right-of-way location of Las Vegas Boulevard. The Applicant has designed the Site in such a way to allow for significant on-site queuing with a roundabout located in front of the call box and the entry gates significantly pushed back into the Site past the call box. This layout is similar to previously approved multi-family project within the County in which the throat depth reduction was approved.

Finally, the Applicant is requesting to waive cross access with the existing convenience store to the northeast. The Applicant has been working with the property owner of the convenience store on an agreement for cross access. However, as of today's date, the convenience store property owner has not agreed to allow cross access. We hope to obtain approval prior to the commencement of construction, but in the event they are unable to obtain that approval, we are respectfully requesting a waiver.

VACATION

The Applicant is also requesting a vacation of 5-feet along Pebble to allow for detached sidewalks. The vacation exhibits and legal description are included with the overall submittal package.

TENTATIVE MAP

Finally, the Applicant is requesting a two lot commercial subdivision map to allow for efficient utility and water line installation during the construction process. A tentative map has been included with this submitted for review and consideration.

Thank you in advance for your consideration. We will continue working with Planning and Public Works staff to ensure any concerns are addressed. Please do not hesitate to let me know if you have any questions or need additional information.

Sincerely,
KAEMPFER CROWELL



Bob Gronauer

06/07/23 BCC AGENDA SHEET

SW CORNER OF LV BLVD & PEBBLE
(TITLE 30)

PEBBLE RD/LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-23-500044-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:

TENTATIVE MAP for a mixed-use project consisting of 1 commercial lot and 1 residential lot on 28.1 acres in a C-2 (General Commercial) Zone and an H-1 (Limited Resort and Apartment) Zone for a High Impact Project.

Generally located on the west side of Las Vegas Boulevard South and the south side of Pebble Road within Enterprise. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-501-004; 177-20-501-007; 177-20-501-008; 177-20-501-014 through 177-20-501-016;
177-20-501-024

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.9 (commercial development)/21.2 (multiple family development)/28.1 (overall)
- Number of Lots: 1 (residential)/1 (commercial)
- Number of Units: 800
- Density (du/ac): 37.9
- Project Type: Commercial and multiple family development

The plans depict a mixed-use project consisting of a commercial development on 6.9 acres and a multiple family development on 21.2 acres. The multiple family project consists of 800 dwelling units with a density of 37.9 dwelling units per acre. Access to the site is granted from 2 commercial driveways along Pebble Road and a single commercial driveway adjacent to Las Vegas Boulevard South.

Landscaping

The plans depict a 40 foot wide landscape area, with a 5 foot wide detached sidewalk, along Las Vegas Boulevard South. The landscape area consists of 24 inch box trees, shrubs, and groundcover. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is provided along Pebble Road. The street landscape area consists of trees, shrubs, and

groundcover. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. Although not required, perimeter landscaping has also been provided along the west and south perimeters of the multiple family and commercial development. The perimeter landscape area measures between 5 feet to 10 feet in width along the south and west property lines. The landscape area along the northwest property line measures 20 feet in width. The perimeter landscape areas consist of small, medium, and large trees with shrubs and groundcover. A landscape area measuring between 5 feet to 15 feet, along the future property line dividing the commercial and multiple family development consists of small, medium, and large trees planted 30 feet to 35 feet on center.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0027	Reclassified a 7.6 acre portion of the project site from R-3 to H-1 zoning for a multiple family residential development; multiple family residential development portion of this application - expired	Approved by BCC	April 2019
VC-0242-00	Allowed outside storage of automobiles	Denied by BCC	April 2000
UC-1244-95	Allowed an apartment complex in an H-1 zone on a portion of this site - expired	Approved by BCC	October 1995
ZC-1243-95	Reclassified a 2.5 acre portion of the site from R-E to R-3 zoning for an apartment	Approved by BCC	September 1995
ZC-1065-94	Reclassified a 15 acre portion of this site from R-E to R-3 zoning for an apartment complex	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2 & H-1	Vehicle rental facility & automobile related uses
South	Entertainment Mixed-Use	H-1	Undeveloped
East	Entertainment Mixed-Use	C-2 & H-1	Tavern, convenience store, gasoline station, & multiple family residential
West	Entertainment Mixed-Use	C-2 & R-E	Multiple family condominiums with long/short term lodging & undeveloped

Related Applications

Application Number	Request
ZC-23-0163	A zone change to reclassify 6.9 acres from an H-1 to a C-2 zone for a commercial development with use permits for a High Impact Project and a multiple family development on 21.2 acres (28.1 acre site) is a companion item on this agenda.

Related Applications

Application Number	Request
VS-23-0164	A vacation and abandonment of 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

Comprehensive Planning

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

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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 45 feet to the back of curb for Pebble Road and Las Vegas Boulevard South per the approved Record of Survey;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require dedication to back of curb and 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.

Comprehensive Planning - Addressing

- 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.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0443-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: JAT LAND DEVELOPMENT, LLC
CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS,
NV 89135**



TENTATIVE MAP APPLICATION 12A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-23-500044</u>	DATE FILED: <u>2/26/23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>MNO</u>	TABI/CAC DATE: <u>5/10/23</u>
		TABI/CAC: <u>ENTERPRISE</u>	PC MEETING DATE: <u>-</u>
		BCC MEETING DATE: <u>6/7/23 @ 9:00 A.M.</u>	<u>6:00 P.M.</u>
		FEE: <u>\$750.⁰⁰</u>	

PROPERTY OWNER	NAME: <u>JAT PEBBLE LLC, JAT PEBBLE 2 LLC and JAT PEBBLE 3 LLC</u>
	ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>jeff.troesh@wpipm.com</u>

APPLICANT	NAME: <u>JAT Land Development LLC</u>
	ADDRESS: <u>1370 Jet Stream Dr., Ste. 100</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>jeff.troesh@wpipm.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Bob Gronauer - Kaempfer Crowell</u>
	ADDRESS: <u>1980 Festival Plaza Dr., Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-693-4262</u> CELL: _____
	E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17720501004, 17720501007, 17720501008, 17720501014, 17720501015, 17720501016, and 17720501024

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Boulevard and Pebble Road

TENTATIVE MAP NAME: LVB/Pebble Multi-Family and Commercial Development

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

<p style="text-align: center;"></p> <p style="text-align: center;">Property Owner (Signature)*</p>	<p style="text-align: center;"><u>Jeff Troesh</u></p> <p style="text-align: center;">Property Owner (Print)</p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>KAREN LEE MCCLAIN Notary Public State of Nevada No. 14-15329-1 My Appt. Exp. November 21, 2022</p> </div>
<p>STATE OF <u>Nevada</u></p> <p>COUNTY OF <u>Clark</u></p>		
<p>SUBSCRIBED AND SWORN BEFORE ME ON <u>July 1, 2022</u> (DATE)</p> <p>By <u>Jeffrey Troesh</u></p>		
<p>NOTARY PUBLIC: <u>Karen Lee McClain</u></p>		

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

**KAEMPFER
CROWELL**

ATTORNEYS AT LAW

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Fax: 775.327.2011

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

Ty - 23-500044

March 28, 2023

VIA ONLINE SUBMITTAL

PLANNER
COPY

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

**Re: Justification Letter – Request to Hold Tentative Map Application
Las Vegas Boulevard and Pebble**

To Whom It May Concern:

This firm represents JAT Land Development, LLC (the “Applicant”) in the above referenced matter. The proposed project is 27.94 acres located near the southwest corner of Las Vegas Boulevard and Pebble (the “Property”). The Property is more particularly described as Assessor’s Parcel Numbers 177-20-501-004, 007, 008, 014, 015, 016 and 024. The Applicant has submitted applications for a tentative map, special use permits, design review, vacation and a waiver of development standards for a high impact mixed use development in an H-1 zone.

The Applicant is requesting the tentative map portion of the project be held to the same Board of County Commissioners meeting as the zone change and corresponding design review, special use permit and waiver applications.

Thank you in advance for your consideration. If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL

Elisabeth E. Olson

06/07/23 BCC AGENDA SHEET

HEALTH CLUB
(TITLE 30)

RAINBOW BLVD/MESA VERDE LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0181-SOUTHWEST MARKETPLACE STA, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEWS for the following: **1)** health club; and **2)** finished grade within an existing shopping center on a portion of 16.2 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Rainbow Boulevard and the south side of Mesa Verde Lane within Enterprise. MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:
176-11-416-003 ptn

WAIVER OF DEVELOPMENT STANDARDS:
Reduce throat depths for 2 driveways along Mesa Verde Lane to 65 feet and 19.7 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 56.7% and an 86.9% reduction, respectively).

DESIGN REVIEWS:

1. Health club.
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33.3% increase).

LAND USE PLAN:
ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:
Project Description
General Summary

- Site Address: 8050 S. Rainbow Boulevard
- Site Acreage: 16.2 (portion)
- Project Type: Health club
- Number of Stories: 1
- Building Height (feet): 37
- Square Feet: 40,000
- Parking Required/Provided: 661/866

Site Plan

The plan depicts a new health club of 40,000 square feet on the northeast portion of an existing shopping center property. In addition, there will be a 2,466 square foot covered outdoor exercise area located at the south side of the building with access only from the main building. There are existing driveways with parking lot surrounding the future building site for the health club. The plan indicates that the parking area on the north side of the building will be modified from the existing layout to increase the throat depth of 1 of the existing connecting driveways to Mesa Verde Lane. However, the throat depths will be less than 150 feet which is required for parking lots with over 201 parking spaces. These parking modifications will result in a net loss of 3 parking spaces; however, the number of parking spaces for the entire shopping center will still be more than the minimum requirements by over 200 parking spaces. A loading space is provided along the south side of the building and appears to be set back sufficiently from the residential areas to the east. A trash enclosure is also provided near the southeast corner of the building and is set back approximately 62 feet from the residential area to the east. There is an existing attached sidewalk on Mesa Verde Lane. Pedestrian access from the public right-of-way is provided to the building entrance.

Landscaping

The plan depicts additional landscaping between the revised parking lot and the existing attached sidewalk along Mesa Verde Lane with a minimum width of approximately 15 feet. Landscaping is also shown along the front, rear, and sides of the building. Landscaping is proposed to consist of 24 inch box Shoestring Acacia and Desert Willow trees, 5 gallon shrubs, and groundcover. Since this is an existing site, parking lot landscaping is not required.

Elevations

The plan depicts a single story building with a maximum height of 37 feet to the top of the parapet. The building will be constructed with tilt*-up concrete panels which will be painted along with finishes which will be a mix of painted stucco, cultured stone, composite wood siding, and steel accents. Storefront windows will feature standard bronze anodized aluminum with 1 foot insulated clear glazing. Exterior lighting is directed down and toward the building with no visible luminaries and will be located away from the residential development to the east.

Floor Plan

The plan indicates an open gym concept with accessory offices, childcare area, men's and women's locker rooms, and several group fitness areas and class areas. There will also be a covered outdoor exercise area on the south side of the building, as previously mentioned. The justification letter states that the exercise area will be operated on a 24 hour basis and will have light music.

Signage

Signage is not a part of this request.

Applicant's Justification

The request is for a 40,000 square foot single tenant health club located on an undeveloped portion of the Southwest Marketplace shopping center. The applicant states that throat depths for the parking lot are required to be 150 feet, and the existing parking areas have less than that

depth. However, they have developed a site plan that adds additional throat depths under the existing conditions of the 2 driveways. Additionally, they are requesting to allow approximately 4 feet of on-site fill. Based on the grades approved in the master drainage study for Southwest Marketplace, the building finished floor elevation is approximately 4 feet above the existing on-site drive aisle on the east side of the property.

Application Number	Request	Action	Date
UC-22-0357	Increased cellular tower height to 80 feet	Approved by PC	August 2022
UC-20-0596	Supper club	Approved by PC	February 2021
UC-0862-17	65 foot high monopine cellular tower	Approved by PC	December 2017
DR-0042-17	Restaurant with drive-thru within an existing shopping center (now separate parcel)	Approved by BCC	March 2017
DR-0818-16	Building addition to an existing shopping center	Approved by BCC	January 2017
TM-0197-08	Commercial subdivision for a shopping center	Approved by PC	January 2009
ZC-1271-05	Reclassified a previously approved commercial center to C-2 zoning	Approved by BCC	October 2005
DR-0142-03	Commercial center	Approved by PC	March 2003
VS-1697-02	Vacated and abandoned patent easements and rights-of-way	Approved by BCC	February 2003
ZC-0252-02	Reclassified the subject property to C-2 zoning - expired	Approved by BCC	May 2002
ZC-1006-01	Reclassified the subject parcel to C-2 zoning - expired	Approved by BCC	October 2001
ZC-0122-98	Original reclassification of the subject property to C-2 zoning - expired	Approved by BCC	May 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family complex
South	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-1 & R-4	Commercial uses & multiple family apartment complex
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Neighborhood Commercial	C-1	Commercial uses

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Development Standards

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

Design Review #1

The health club use is compatible with the underlying designation of Corridor Mixed-Use as shown on the Master Plan. The building design, exterior building materials, façade treatments, and mechanical screening meet County standards. In addition, while parking lot landscaping is not required for the existing site, a total of 14 large trees and 12 medium trees are shown as being distributed elsewhere near the parking areas of the proposed building, as well as adjacent to the south and east sides of the building. The proposed landscaping will reduce the heat island effect and improve the aesthetics of the project site and the surrounding area. Therefore, staff can recommend approval of this request.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction of throat depth for the existing driveways on Mesa Verde Lane as the applicant worked with staff to reduce the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0299-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JAS LE

CONTACT: JAS LE, NADEL ARCHITECTS, 175 E. WARM SPRINGS ROAD, SUITE 100,
LAS VEGAS, NV 89119



LAND USE APPLICATION 13A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>WS/DR-23-0181</u> DATE FILED: <u>2-6-2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5-10-2023</u> PC MEETING DATE: <u>1-6-2023</u> BCC MEETING DATE: _____ FEE: <u>\$1150</u>
	PROPERTY OWNER	NAME: <u>Southwest Marketplace Station, LLC</u> ADDRESS: <u>11501 Northlake Drive</u> CITY: <u>Cincinnati</u> STATE: <u>OH</u> ZIP: <u>45249</u> TELEPHONE: <u>801-415-4364</u> CELL: <u>513-692-7782</u> E-MAIL: <u>nmadewell@phillipseedison.com</u>
	APPLICANT	NAME: <u>Nadel Nevada, Inc</u> ADDRESS: <u>175 E. Warm Springs Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-896-2000</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Jas Le</u> ADDRESS: <u>175 E. Warm Springs Road, #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-898-2000</u> CELL: _____ E-MAIL: <u>jle@nadelarc.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-11-416-003
PROPERTY ADDRESS and/or CROSS STREETS: 7910-8060 S. Rainbow Blvd, Las Vegas NV89139
PROJECT DESCRIPTION: Addition of 40,000 sq ft Health Club Building on a vacant pad

(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.
 By: Phillips Edison Groceries Center Operating Partnership LLC, a Delaware limited liability company
 By: Phillips Edison Groceries Center (SHEP) LLC, a Delaware limited liability company, its General Partner

Property Owner (Signature)* _____ Property Owner (Print) Joe Schlosser

STATE OF Ohio
 COUNTY OF Hamilton
 SUBSCRIBED AND SWORN BEFORE ME ON February 23, 2023 (DATE)
 BY Joe Schlosser
 NOTARY PUBLIC: Anna M. Sevier



ANNA M SEVIER
 Notary Public
 State of Ohio
 My Comm. Expires
 July 30, 2027

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

APR

101133



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input 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: Southwest Marketplace Station, LLC ADDRESS: 11501 Northlake Drive CITY: Cincinnati STATE: OH ZIP: 45249 TELEPHONE: 801-415-4364 CELL: 513-692-7782 E-MAIL: nmadewell@phillipsedison.com
	APPLICANT NAME: Nadel Nevada, Inc ADDRESS: 175 E. Warm Springs Road, #100 CITY: Las Vegas STATE: NV ZIP: 89119 TELEPHONE: 702-896-2000 CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: Jas Le ADDRESS: 175 E. Warm Springs Road, #100 CITY: Las Vegas STATE: NV ZIP: 89119 TELEPHONE: 702-896-2000 CELL: _____ E-MAIL: jle@nadelarc.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-11-416-003

PROPERTY ADDRESS and/or CROSS STREETS: 7910-8060 S. Rainbow Blvd, Las Vegas NV89139

PROJECT DESCRIPTION: Addition of 40,000 sf Health Club Building on a vacant pad

(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.

SOUTHWEST MARKETPLACE STATION, LLC, a Nevada limited liability company
By: Phillips Edison Grocery Center Operating Partnership I.L.P., a Delaware limited partnership, its sole member
By: Phillips Edison Grocery Center Operating Partnership I.L.P., a Delaware limited liability company, its General Partner

Property Owner (Signature)* Its Senior Vice President

Property Owner (Print)

STATE OF OHIO
COUNTY OF HAMILTON

SUBSCRIBED AND SWORN BEFORE ME ON August 19 2012 (DATE)

By: [Signature] NOTARY PUBLIC: [Signature]



Kristy Biswell
Notary Public, State of Ohio
My Commission Expires:
03-13-2027

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



March 01st, 2023

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
Las Vegas, NV 89106

PLANNED
COPY

Dear Design Review Committee,

Please accept this Land Use Application for Design Review on a new 40,000 square foot ground-up single-tenant health club building located on an undeveloped 1.3-acre portion of parcel 176-11-416-003 (16.11 acres), known as the Southwest Marketplace Shopping Center.

A Notice of Final Action dated October 27, 2005 and Agenda Sheets dated October 19, 2005, document the approval of application ZC-1271-05, including a zone change to C-2 (General Commercial). A prior 2003 process approved the then 20-acre site for 186,646 square feet of commercial development.

Parcel 176-11-416-003 currently includes 127,852 square feet (excluding the 2,710 square foot Jack-In-the-Box out-parcel) of commercial space and 820 parking stalls.

The proposed 40,000 square foot addition to the shopping center being considered in this application is positioned on the North-East development pad. The new 40,000 square foot building will be built to a health club tenant – EOS for fitness activities.

The health club also has a 2,466 square foot covered outdoor exercise area that is located at the South side of the building and will be operated 24-hour with light music. Exterior lighting is directed downward and inward with no visible luminaires and located away from the residential development on the East side. The only access to the area is from within the main building and there will be no classes held here. EOS has many locations nationally with outdoor areas as proposed in this location. The intention for this design is to offer an option for outdoor exercise/workout that brings many positive physical and mental benefits for the community. It is truly believed that this amenity promotes healthy lifestyles to the neighborhood specially and the valley in general. There are two other locations – please see below addresses - in Las Vegas that have implemented this design and are located in close proximity to residential developments. Specially the location on Blue Diamond which is also within Clark County – has been operated for 3-4 years and has not received any complaints from the residents but offered convenience and healthy choice to the community.

- 4935 Blue Diamond Rd, Las Vegas, NV 89139
- 4520 N Scott Robinson Blvd, North Las Vegas, NV 89031

The proposed site plan surrounding the new building will include Twenty Five (25) added parking spaces and remove Twenty Eight (28) existing parking spaces as well as service areas in the rear, including a trash enclosure, loading zone as well as new landscaping surrounding the proposed buildings. Total required parking on the site, including the proposed addition, is calculated to be 661 stalls and total provided parking, including the proposed buildings, is 866 stalls.

The current Tittle 30 Development Code requires throat depths for new site development to be 150 ft for this center size. The applicant however has worked meticulously with Public Works department to develop a proposed site plan which adds additional throat depths under the existing conditions of the two existing driveways on Mesa Verde Ln. The proposed site plan reflects the design that poses no hardships or adverse burdens on Mesa Verde as well as addresses Public Works' concerns. The Applicant respectfully requests herein the approval of waivers of throat depth requirements for the above-mentioned existing driveways.

As part of this application, the Applicant also requests to allow approximately 4 feet of onsite fill. Based on the grades approved in master drainage study for Southwest Marketplace, the building finished floor elevation is approximately 4 feet above the existing onsite drive aisle on the East side of the property.

The Architecture of the new building will be complementary to the architecture of the existing buildings within the shopping center with respect to building heights, style and materials. Nadel Architects designed the original Southwest Marketplace structures and for the proposed building JSA Architecture is the architect and will ensure the architectural continuity from the existing to proposed.

From a tenant perspective, our leasing team has secured a lease with a first-class national health club with EOS Fitness.

In summary, the applicant believes that the proposed project is in conformance with the C-2 zoning district, prior approvals (including low-level lighting on the east side of the proposed building) and can meet all applicable Clark County development standards. Furthermore, the proposed project will improve the composition of the existing shopping center and increase daily needs options for the local community.

Thank you,
Neil Madewell

Neil Madewell

3/1/2023

Director of Development
Phillips Edison & Company

PLANNER
COPY

Making a Motion

May 10, 2023

Motions should be clear, concise and understandable to all meeting attendees, decision-making boards and for the record. The following tips have proven helpful in achieving this. Seconding of motions is not required per the Clark County Board of Commissioners Rules of Procedures.

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 (with staff assistance) 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 yyyyyyy Blvd. south.

Possible actions on each motion element:

- PLAN AMENDMENT: Adopt / Deny
- 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

