



## ENTERPRISE TOWN ADVISORY BOARD

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

May 11, 2022  
6:00pm

### AGENDA

**Note:**

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

Board/Council Members: David Chestnut - Chair  
Tanya Behm  
Justin Maffett

Barris Kaiser – Vice Chair  
Joseph Throneberry

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

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

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

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

- III. Approval of Minutes for April 27, 2022. (For possible action)
- IV. Approval of the Agenda for May 11, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
1. **ZC-22-0168-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**  
**ZONE CHANGE** to reclassify 9.9 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.  
**USE PERMITS** for the following: 1) a residential planned unit development (PUD); 2) reduce the building setback from project perimeter; 3) reduce communication tower setback to street; and 4) communication tower separation to residential.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback from the street; and 2) reduced off-set street intersection.  
**DESIGN REVIEWS** for the following: 1) a detached single family residential planned unit development; and 2) finished grade. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action) 05/18/22 BCC
  2. **VS-22-0172-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Gomer Road and Le Baron Avenue alignment, and between Buffalo Drive and Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action) 05/18/22 BCC
  3. **TM-22-500060-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**  
**TENTATIVE MAP** consisting of 30 residential lots and common lots on 9.9 acres in an R-D (Suburban Estates Residential) Zone. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/bb/jo (For possible action) 05/18/22 BCC
  4. **WS-22-0241-JOBSITE HOSPITALITY, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) parking lot landscaping; 3) loading space design; and 4) allow modified driveway design standards.  
**DESIGN REVIEW** for a hotel on a portion of 7.7 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the east side of Gilespie Street, the south side of Carpenters Union Way, and 400 feet north of Hidden Well Road within Enterprise. MN/nr/ja (For possible action) 05/18/22 BCC

5. **NZC-22-0121-DOGWOOD HICKORY, LLC:**  
**ZONE CHANGE** to reclassify 9.6 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; 2) increase wall height; 3) allow nonstandard improvements in the right-of-way; 4) waive street dedication; and 5) waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).  
**DESIGN REVIEWS** for the following: 1) single family residential development; 2) allow hammerhead turnarounds; and 3) finished grade. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise (description on file). JJ/jt/jo (For possible action) **06/07/22 PC**
  
6. **NZC-22-0222-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**  
**ZONE CHANGE** to reclassify 10.5 acres from R-E (Rural Estates Residential) (RNP-I) Zone and R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced lot area; 2) increase site disturbance within a hillside area; and 3) increase wall height.  
**DESIGN REVIEWS** for the following: 1) a single family residential development; 2) allow a hammerhead street design; 3) a single family residential development within a hillside area; and 4) increased finished grade. Generally located on the north side of Pebble Road and the east side of Park Street (alignment) within Enterprise (description on file). JJ/al/jo (For possible action) **06/07/22 PC**
  
7. **VS-22-0223-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Ford Avenue and Pebble Road, and between Park Street (alignment) and Fort Apache Road within Enterprise (description on file). JJ/al/jo (For possible action) **06/07/22 PC**
  
8. **TM-22-500076-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**  
**TENTATIVE MAP** consisting of 32 single family residential lots and common lots on 10.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Pebble Road and the east side of Park Street (alignment) within Enterprise. JJ/al/jo (For possible action) **06/07/22 PC**
  
9. **NZC-22-0229-PY PROPERTIES LLC & MTG LIVING TRUST:**  
**ZONE CHANGE** to reclassify 8.6 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); 3) alternative landscaping along Dean Martin Drive; and 4) eliminate landscaping against a freeway.  
**DESIGN REVIEWS** for the following: 1) single family residential; and 2) finished grade. Generally located on the east side of Dean Martin Drive approximately 215 feet south of Raven Avenue. within Enterprise (description on file). JJ/jvm/jo (For possible action) **06/07/22 PC**

10. **VS-22-0233-PY PROPERTIES LLC & MTG LIVING TRUST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Dean Martin Drive and I-15 and between Raven Avenue and the Vicki Avenue (alignment) within Enterprise (description on file). JJ/jvm/jo (For possible action) **06/07/22 PC**
  
11. **TM-22-500079-PY PROPERTIES LLC & MTG LIVING TRUST:**  
**TENTATIVE MAP** consisting of 46 single family residential lots and common lots on 8.6 acres in a R-2 (Medium Density Residential) Zone. Generally located on the east side of Dean Martin Drive approximately 215 feet south of Raven Avenue. within Enterprise (description on file). JJ/jvm/jo (For possible action) **06/07/22 PC**
  
12. **VS-22-0210-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS, ET AL:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Silverado Ranch Boulevard and Landberg Avenue (alignment), and between Decatur Boulevard and Arville Street; and a portion of a right-of-way being Silverado Ranch Boulevard located between Decatur Boulevard and Arville Street within Enterprise (description on file). JJ/gc/jo (For possible action) **06/07/22 PC**
  
13. **TM-22-500075-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS, ET AL:**  
**TENTATIVE MAP** for a commercial subdivision on 2.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Silverado Ranch Boulevard, 320 feet west of Arville Street within Enterprise. JJ/gc/jo (For possible action) **06/07/22 PC**
  
14. **UC-22-0207-LDR PARTNERS:**  
**USE PERMIT** to reduce the separation of a proposed supper club in conjunction with an existing restaurant on a 0.5 acre portion of an 8.0 acre shopping center in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/jor/syp (For possible action) **06/07/22 PC**
  
15. **UC-22-0236-REAL EQUITIES LLC:**  
**USE PERMIT** for a hookah lounge in conjunction with an existing shopping center on a portion of 28.7 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Serene Avenue and Las Vegas Boulevard South within Enterprise. MN/bb/syp (For possible action) **06/07/22 PC**
  
16. **VS-22-0217-A GRADING COMPANY:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Gomer Road and the Union Pacific Railroad (UPRR), and between Redwood Street and UPRR within Enterprise (description on file). JJ/nr/jo (For possible action) **06/07/22 PC**
  
17. **WS-22-0216-A GRADING COMPANY:**  
**WAIVER OF DEVELOPMENT STANDARDS** for off-site improvements.  
**DESIGN REVIEWS** for the following: **1)** alternative landscaping; and **2)** an outside storage facility on 2.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Gomer Road and 977 feet east of Redwood Street within Enterprise. JJ/nr/jo (For possible action) **06/07/22 PC**

18. **VS-22-0239-MOSAIC LAND 1 LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Fort Apache Road and Chieftain Street (alignment), and between Meranto Avenue and Richmar Avenue (alignment); and a portion of right-of-way being Fort Apache Road located between Meranto Avenue and Richmar Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action) **06/07/22 PC**
19. **WS-22-0194-D R HORTON INC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks in conjunction with a single family residential development on 22.5 acres in an RUD (Residential Urban Density) Zone. Generally located on the west side of Dean Martin Drive and the south side of Frias Avenue within Enterprise. JJ/nr/syp (For possible action) **06/07/22 PC**
20. **DR-22-0193-SA-CAC-DM, LLC:**  
**DESIGN REVIEW** for signs in conjunction with a previously approved vehicle maintenance facility on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Cactus Avenue and the east side of Polaris Avenue within Enterprise. JJ/nr/jo (For possible action) **06/08/22 BCC**
21. **DR-22-0228-MEO-CACTUS & RAINBOW, LLC:**  
**DESIGN REVIEW** for a vehicle maintenance (smog testing) facility on a 0.1 acre portion of a 4.7 acre shopping center in a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone in the Mountain's Edge Master Planned Community. Generally located on the northwest corner of Rainbow Boulevard and Cactus Avenue within Enterprise. JJ/bb/syp (For possible action) **06/08/22 BCC**
22. **ET-22-400055 (UC-20-0240)-MEQ-BD & D II, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) alcohol sales, liquor - packaged only (liquor store) not in conjunction with grocery store; 2) convenience store; and 3) gasoline station.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback for a convenience store; 2) reduce setback for a gasoline station; and 3) alternative driveway geometrics.  
**DESIGN REVIEW** for modifications to an approved shopping center on 3.8 acres in a C-1 (Limited Commercial) Zone. Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise. JJ/jgh/syp (For possible action) **06/08/22 BCC**
23. **ET-22-400056 (ZC-18-0118)-MEQ-BD & D II, LLC:**  
**DESIGN REVIEWS SECOND EXTENSION OF TIME** for the following: 1) a proposed shopping center; and 2) finished grade on 3.8 acres in a C-1 (Limited Commercial) Zone. Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise (description on file). JJ/jgh/syp (For possible action) **06/08/22 BCC**
24. **UC-22-0204-SOUTHERN NEVADA BEAGLE RESCUE FOUNDATION:**  
**USE PERMIT** to allow additional household pets (dogs) in conjunction with an existing single family residence on 1.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Irvin Avenue, 150 feet west of Placid Street within Enterprise. MN/jgh/syp (For possible action) **06/08/22 BCC**

25. **ZC-22-0240-PY PROPERTIES, LLC & MTG LIVING TRUST:**  
**ZONE CHANGE** to reclassify 5.7 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone. Generally located on the east side of Dean Martin Drive and the north side of Agate Avenue (alignment) within Enterprise (description on file). JJ/md/ja (For possible action) **06/22/22 BCC**

VII. General Business

1. None.

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

- IX. Next Meeting Date: June 1, 2022.

- 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 27, 2022

## MINUTES

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Board Members	David Chestnut, Chair <b>PRESENT</b> Tanya Behm <b>PRESENT</b> Justin Maffett <b>PRESENT</b>	Barris Kaiser, Vice Chair <b>EXCUSED</b> Joseph Throneberry <b>EXCUSED</b>
Secretary:	Carmen Hayes 702-371-7991 <a href="mailto:chayes70@yahoo.com">chayes70@yahoo.com</a> <b>EXCUSED</b>	
County Liaison:	Tiffany Hesser 702-455-7388 <a href="mailto:TLH@clarkcountynv.com">TLH@clarkcountynv.com</a> <b>PRESENT</b>	

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

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

Nicole Russell, Current Planning

II. Public Comment

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

- None

III. Approval of Minutes for April 13, 2002 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Enterprise TAB Minutes as published for October 14, 2022

Motion **PASSED** (3-0)/ Unanimous

IV. Approval of Agenda for April 27, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended

Motion **PASSED** (3-0) /Unanimous

**Applicant requested holds:**

7. ZC-22-0168-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS: The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.
8. VS-22-0172-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS: The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.

9. TM-22-500060-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS: The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.

**Related applications to be heard together:**

4. VS-22-0163-PLACID INDUSTRIAL 2021, LLC
5. WS-22-0162-PLACID INDUSTRIAL 2021, LLC

V. Informational Items

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

- **Clark County Short-Term Rental Information Session**

Assembly Bill 363 in the 2021 Nevada legislative session mandates the County to enact an ordinance to authorize short-term rentals subject to the revisions of AB363 and any further policies put in place by our Board of County Commissioners.

Wednesday, May 4, 2022, 5:30pm - 6:30pm

Windmill Library Theater

7060 W. Windmill Lane, Las Vegas, NV 89113

Hosted by: Michael Naft

500 S Grand Central Pkwy, Las Vegas, NV 89115

DistrictA@ClarkCountyNV.gov | www.ClarkCountyNV.gov | (702) 455-3535

Twitter: @MichaelNaft | Facebook: @MichaelNaftLV

Questions may be submitted in advance to: STRComment@ClarkCountyNV.gov or Visit clarkcountynv.gov for more information.

- **SILVERADO RANCH DOG PARK REOPENING**

RENOVATION CELEBRATION

SATURDAY, MAY 21, 2022, 9A.M. - 11 A.M.

9855 Gillespie St.

Las Vegas, NV 89183

THE ANIMAL FOUNDATION PET ADOPTION

LVMPD K-9 TEAM

FOOD TRUCKS LOCAL RETAILERS

- **Saving for College - Financial Literacy Seminar**

Join the office of Nevada State Treasurer Zach Conine and Clark County Commissioner Michael Naft, to learn about saving for your child's college education. Understand the differences between the Nevada College Kickstart program, NV529 Plans, Nevada Prepaid Tuition, and the Governor Guinn Millennium Scholarship. There will be a free raffle at the event, for participants opening accounts; eight winners will have \$250 deposited into their new account!

Thursday, May 19, 2022, 5:30pm - 7:00pm

Enterprise Library Multipurpose Room

8310 5 Las Vegas Blvd., Las Vegas, NV 89123



VI. Planning & Zoning

1. **VS-22-0175-JONES MAULE AVE, LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Badura Avenue located between Bronco Street (alignment) and Jones Boulevard and a portion of right-of-way being Jones Boulevard located between Maule Avenue and Badura Avenue within Enterprise (description on file). MN/jgh/jo (For possible action) **05/17/22 PC**

Motion by David Chestnut  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (3-0) /Unanimous

2. **DR-22-0185-DOLLAR SELF STORAGE 22, LLC:**  
**DESIGN REVIEW** for proposed signage in conjunction with a previously approved mini-warehouse facility on a 4.3 acre portion of 5.0 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. JJ/jor/syp (For possible action) **05/18/22 BCC**

Motion by David Chestnut  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (3-0) /Unanimous

3. **ET-22-400043 (WS-17-0204)-MOSAIC SEVEN, LLC:**  
**DESIGN REVIEWS SECOND EXTENSION OF TIME** for the following: **1)** a proposed single family residential development; and **2)** finished grade on 7.5 acres in an R-E (Rural Estates Residential) (RNP-1) Zone. Generally located on the south side of Richmar Avenue, 250 feet west of Rainbow Boulevard within Enterprise. JJ/bb/syp (For possible action) **05/18/22 BCC**

Motion by Tanya Behm  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (3-0) /Unanimous

4. **VS-22-0163-PLACID INDUSTRIAL 2021, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between George Crockett Road and Arby Avenue (alignment), and between Placid Street and La Cienega Street within Enterprise (description on file). MN/lm/jo (For possible action) **05/18/22 BCC**

Motion by Tanya Behm  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (3-0) /Unanimous

5. **WS-22-0162-PLACID INDUSTRIAL 2021, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; **2)** waive landscaping; and **3)** modified commercial driveway design.  
**DESIGN REVIEW** for a proposed office/warehouse complex with outside storage on 2.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Placid Street and the north side of Arby Avenue (alignment) within Enterprise. MN/lm/jo (For possible action) **05/18/22 BCC**

Motion by Tanya Behm  
Action: **DENY**  
Motion **PASSED** (3-0) /Unanimous

6. **ZC-22-0165-ELLIPSUS, LLC:**  
**ZONE CHANGE** to reclassify 0.6 acres from an R-E (Rural Residential Estates) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.  
**USE PERMITS** for the following: 1) retail as a principal use; 2) office as principal use; 3) restaurant; and 4) alcohol sales, liquor-packaged only.  
**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.  
**DESIGN REVIEWS** for the following: 1) retail building; and 2) finished grade. Generally located on the east side of Gilespie Street, 1,300 feet north of Warm Springs Road within Enterprise (description on file). MN/bb/syp (For possible action) **05/18/22 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning Conditions

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

Per staff conditions

Motion **PASSED** (3-0) /Unanimous

7. **ZC-22-0168-SHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SHELL, WILLIAM A. TRS:**  
**ZONE CHANGE** to reclassify 9.9 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.  
**USE PERMITS** for the following: 1) a residential planned unit development (PUD); 2) reduce the building setback from project perimeter; 3) reduce communication tower setback to street; and 4) communication tower separation to residential.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback from the street; and 2) reduced off-set street intersection.  
**DESIGN REVIEWS** for the following: 1) a detached single family residential planned unit development; and 2) finished grade. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action) **05/18/22 BCC**

The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.

8. **VS-22-0172-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Gomer Road and Le Baron Avenue alignment, and between Buffalo Drive and Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action) **05/18/22 BCC**

The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.

9. **TM-22-500060-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**  
**TENTATIVE MAP** consisting of 30 residential lots and common lots on 9.9 acres in an R-D (Suburban Estates Residential) Zone. Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/bb/jo (For possible action) **05/18/22 BCC**

The Applicant requested a **HOLD** to the Enterprise TAB meeting on May 11, 2022.

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.

- None

IX. Next Meeting Date

The next regular meeting will be May 11, 2022 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut  
**ADJOURN** meeting at 6:41 p.m.  
Motion **PASSED** (3-0) /Unanimous



05/18/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

BUFFALO DR/GOMER RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0168-SHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SHELL, WILLIAM A. TRS:**

**ZONE CHANGE** to reclassify 9.9 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.

**USE PERMITS** for the following: 1) a residential planned unit development (PUD); 2) reduce the building setback from project perimeter; 3) reduce communication tower setback to street; and 4) communication tower separation to residential.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback from the street; and 2) reduced off-set street intersection.

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

Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise (description on file). JJ/bb/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-27-101-001 through 176-27-101-004

**USE PERMITS:**

1. A detached single family residential planned unit development.
2. Reduce the building (accessory) setback from project perimeters to 5 feet where a minimum of 10 feet is required per Section 30.24.060 (a 50% reduction).
3. Reduce the minimum street setback for a communications tower to 14 feet where 40 feet is required per Table 30.44-1 (a 65% reduction).
4. Reduce the minimum separation distance from a communication tower to residential development to 20 feet where 42 feet is required per Table 30.44-1 (a 52% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback to a street (corner side street) to 5 feet where a minimum of 10 feet is required per 30.24.080 (a 50% reduction).
2. Reduce off-set street intersection separation distance to 81 feet where 125 feet is required per Section 30.52.052 (a 35% reduction).

**DESIGN REVIEWS:**

1. Detached single family residential planned unit development.

- Increase finished grade to 114 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 216.7% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 9.9
- Number of Lots/Units: 30
- Density (du/ac): 3.0
- Minimum/Maximum Lot Size (square feet): 8,082/9,870
- Project Type: Single family residential (detached)
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 2,100 to 3,500
- Open Space Required/Provided: N/A
- Parking Required/Provided: 60/90

Site Plans

The plans depict a detached single family residential development situated on a 9.9 acre site consisting of 30 residential lots with a density of 3 dwelling units per acre. The planned unit development (PUD) is more than 5 acres, with proposed gross lot sizes of 8,082 square feet to 9,870 square feet, respectively. Open space is not required for this PUD as the site is located within a rural residential zoning district, with a required open space area less than 10,000 square feet (7,471 square feet for this site). Parking will consist of garage parking for residents and surface parking consisting of driveways for residents and visitors. The minimum setbacks for the detached single family residences are as follows:

	Front Setback (feet)	Rear Setback (feet)	Side Setback (feet)	Side Street (Corner) Setback (feet)
Single family residence*	20	20	5	10
Patio cover	-	3	3	7
Balcony (under 6')	-	3	3	7
Balcony (over 6')	-	17	3	7
Accessory structure (accessory apartment or pool house)	-	5	5	5

\* The PUD establishes alternative front, side, side street (corner) and rear setbacks; however, street corner setbacks which are less than 10 feet from a street and require a waiver of development standards.

Access to the project site is granted via a 49 foot wide public street, terminating in a cul-de-sac bulb, connecting to Buffalo Drive. A 5 foot wide sidewalk is provided along the north and south sides of the proposed public street, per Public Works standards. Due to the topography of the site, a design review is also requested to increase finished grade up to a maximum of 108 inches within the interior of the site. The maximum grade increase is located along the east portion of the project site.

Two existing communication towers are located approximately 230 feet east of Buffalo Drive. The subdivision is designed around the towers, establishing a common lot for the towers. Due to the creation of the new street and residential lots, reductions to the setbacks are required.

#### Landscaping

An existing 5 foot wide attached sidewalk is located along Buffalo Drive. A 15 foot wide landscape area consisting of 24 inch box trees planted 20 feet on center, is located adjacent to the sidewalk. Shrubs and groundcover will also be planted within the street landscape areas with a total of 13 trees. A combined screen wall/retaining wall up to a maximum of 15 feet is located along the east boundary of the project site.

#### Elevations

The plans depict 4 single story model homes with 3 different elevations with a maximum height of 20 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco and stone veneer. Architectural enhancements are featured on the building elevations including window fenestration, covered entries, and stucco/stone veneer pop-outs.

The existing Monopine communication towers are 80 feet and 90 feet tall.

#### Floor Plans

The plans depict single story homes with floor plans ranging between 2,100 square feet to 3,500 square feet. The floor plans feature multiple bedrooms, living room, dining room, kitchen, bathrooms, closets, laundry room, and a great room. The homes feature 3 car garages, some floor plans with side loaded single car garages and 2 car front facing garages.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is proposing to develop 9.9 gross acres with 30 single family detached residential homes as a R-D zoned Planned Unit Development in the low-intensity suburban neighborhood planned land use area. The long and narrow shape of the property combined with natural topography that slopes down to the east, creates a unique situation with regard to grading, drainage, and access constraints. There is limited frontage for access from Buffalo Drive. There is an undevelopable portion of the property on the eastern 2 acres with steep slopes. This eastern 2 acre area conveys substantial storm water flows from the Mountains Edge area. This site requires the construction of a public lift station at the east end of the development, to accommodate positive sanitary sewer flows. There are 2 existing stealth communication towers on the site that require special design considerations and a common element lot. The increased

wall height and retention wall will allow for protection of slopes and accommodate drainage through the eastern portion of the property. The proposed off-set street intersection will not create an unsafe condition since there is a median in Buffalo Drive and no potential conflicting traffic movements.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0923	Communication tower increased height	Approved by PC	February 2019
UC-0463-10	Communication tower (stealth Monopine) and associated equipment	Approved by PC	November 2010
ADR-0686-07	Stealth Monopine not to exceed 80 feet	Approved by ZA	June 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	P-F	Public park (Exploration)
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West & South	Ranch Estate Neighborhood (up to 2 du/ac) & Mid-Intensity Suburban (up to 8 du/ac)	R-D, R-2, & R-E (RNP-I)	Mountains Edge single family residential development & undeveloped

**Related Applications**

Application Number	Request
VS-22-0172	A vacation and abandonment of easements is a companion item on this agenda.
TM-22-500060	A tentative map for 30 single family residential lots is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Zone Change**

The request to reclassify to R-D zoning conforms to the Enterprise Land Use Plan and is consistent with density found in the surrounding developed areas. The R-D zoning and 3 dwelling units per acre will not exceed the 5 dwelling units per acre identified in the low-intensity suburban neighborhood planned land use designation for this property. The properties to the south, west, and northwest are all located in the mid-intensity suburban neighborhood planned land use area that allows up to 8 dwelling units per acre. This request conforms to Land



Use Goal 7 of the Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The overall project complies with Urban Specific Policy 4 of the Master Plan which encourages the preservation of existing residential neighborhoods by developing vacant lots within the area at similar densities as the existing area. Therefore, staff can support the zone change.

#### Use Permits #1 & #2

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

The proposed planned unit development will allow for development standards consistent with the surrounding area and needed to accommodate the specific constraints of this property. The lot sizes will allow for development that is similar to the surrounding area, and in some cases larger lots than immediately adjacent property or those lots found on the west side of Buffalo Drive. The 20 foot front setback will promote construction of the homes closer to the internal street and further from the rear perimeter property lines. Proposed single family home interior side yard, corner side yard and front yard setbacks are comparable to the Mountain's Edge developed lots to the south of this property and homes on the west side of Buffalo Drive. Staff recognizes the likelihood of a first floor balcony as being improbable, but possible and does not object to the proposed setbacks in conjunction with what would essentially be an elevated patio or deck 3 feet to 6 feet above grade. Reduced setbacks for rooftop decks and balconies are typically not supported by staff due to associated privacy concerns; however, the proposed setbacks are similar to that of architectural intrusions.

Five foot accessory building setbacks adjacent to project perimeters not on a street corner is acceptable to staff. R-D zoning allows for single story accessory structures to have a 5 foot rear setback, so the request is consistent with Table 30.40-1 standards and staff can support the request.

The proposed 15-foot combination of screen wall and retention wall will be located on the eastern portion of the property to accommodate drainage and steep slope areas, including erosion control. The remaining residential portion of the property will include increased finished grades that ultimately will result in a finished home elevation that is about 18 inches greater than surrounding residential homes. The properties to the south are side facing lots to the rear of this property, with less of an impact to back yards.

#### Use Permits #3 & #4

The communication towers and proposed setbacks will not be detrimental to the development of the area. The communication towers will be maintained within a separate lot to limit the impact of equipment access on adjacent property. Staff recommends approval of these requests.

#### Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the

property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff does not support the corner side accessory structure setback of 5 feet where 10 feet is required. There are only 2 corner lots where this will apply and both are the most visible properties in this subdivision from the travelling public and adjacent neighbors. Accessory structures should at the very least match the setback of the requested principal residence setback. Staff recommends denial of this request.

Design Review #1

A maximum 20 foot height of single story residential homes will limit the visual impact of increased finished grades on the built environment. Both sides of the proposed public street will have attached sidewalks and will create a safe pedestrian realm for this neighborhood as required by Title 30 PUD standards. The tiered effect of the lots, stepping down to the east, will break-up the single plane (1 roof) effect of many neighborhoods and provide some topographic character to the neighborhood.

**Public Works - Development Review**

Waiver of Development Standards #2

Staff has no objection to the request to reduce the street intersection offset between Gomer Road and Public Street. The proposed 30 lot subdivision should see a low volume of traffic because of the limited number of lots. Additionally there is an existing traffic signal and median in Buffalo Drive that will make the traffic flow in the area safer.

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 of the use permits, waiver of development standards #2, and the design reviews; denial of waiver of development standards #1.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- 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 by entering into a Standard Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that there is an active septic permit on APN 176-27-101-003; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the system has been properly removed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0242-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** EDDIE DUENAS

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,  
LAS VEGAS, NV 89119



# LAND USE APPLICATION 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p><input checked="" type="checkbox"/> CONFORMING (ZC)</p> <p><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(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>	<b>STAFF</b>	<p>APP. NUMBER: <u>ZC/UC/WS/DR-22-0168</u> DATE FILED: <u>3-22-2022</u></p> <p>PLANNER ASSIGNED: <u>BBK</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-27-2022</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>5-18-2022</u></p> <p>FEE: <u>3675</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>William A Schell Separate Property Trust</u></p> <p>ADDRESS: <u>6345 Darby Ave.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>Taylor Morrison c/o Eddie Duenas</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive #500</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-407-7496</u> CELL: _____</p> <p>E-MAIL: <u>EDuenas@taylormorrison.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u></p> <p>ADDRESS: <u>7080 La Cienega St. #200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-932-6125</u> CELL: <u>702-338-4071</u></p> <p>E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-27-101-001, 002, 003, 004

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo / Gomer

PROJECT DESCRIPTION: ZC/UC/WS/DR 30 lots

(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.

William A Schell  
Property Owner (Signature)

William A. Schell Trustee  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 4-22-2021 (DATE)  
By William A Schell

NOTARY PUBLIC: Anna Maria Domschot

ANNA MARIA DOMSCHOT  
NOTARY PUBLIC  
STATE OF NEVADA  
Appt. No. 17-3988-1  
My Appt. Expires Sept. 1, 2021

\*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 23, 2022

## CIVIL ENGINEERING

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

**Re: Buffalo/Gomer  
Zone Change, Use Permit for PUD, Design Review and Waiver of Development Standards  
APN# 176-27-101-001, 002, 003 & 004  
Project#: 283-21002**

On behalf of Taylor Morrison Homes, we respectfully request your approval of a conforming Zone Change, Use Permit, Design Review and Waiver of Standards.

The project proposes a 30 lot single family detached residential development on approximately 9.77 acres at a density of 3 dwelling units per acre within the Enterprise Land Use planning area. The long and narrow shape of the parcel combined with natural topography creates a unique set of constraints for the development of the proposed site: 1) limited frontage of Buffalo Drive for access, 2) an undevelopable portion on the east end of the site due to topography, 3) an existing wash at the east side of the site that conveys substantial storm flows from the Mountains Edge area, and 4) the need to construct a public lift station to provide sanitary sewer service to the proposed lots. The proposed subdivision addresses the constraints in a reasonable manner.

**Location:** The proposed project is located at the southeast corner of Gomer Road and Buffalo Drive within Section 27, Township 22 South, Range 60 East. An existing cell tower will remain on-site within an open space area with public access provided through the subdivision public street.

**Zone Change:** The project proposes a conforming zone change from R-E to R-D PUD under the LN (Low-Intensity Suburban Neighborhood) Land Use designation of the Enterprise Land Use Plan.

**Use Permit/Design Review:** The project proposes a 30 lot single family residential subdivision served by a 49' wide public street off of Buffalo Drive. The proposed subdivision provides lot sizes that range from approximately 7,887 to 9,870 square feet with an average lot size of approximately 8,285 square feet. The proposed project will consist of four single story homes that range in size from approximately 2,100 to 3,500 square feet and provide varying elevations at a typical height of 20'. The homes each provide three car garages with one model providing a side-load configuration. The submitted floor plans and elevations conform to the design standards in Table 30.56-2 and 30.24.080 by providing covered porches, building pop-outs, and architectural enhancements to windows and doorways. The homes will be stucco finish with concrete tile roofs and optional finishes may be offered such as tile or stone veneer enhancements.

As required under section 30.32.040 of Title 30, the design review requests approval of an increase in the finished grade up to a maximum of 9'. This increase in grade is necessary to provide flexibility in the design of flood control facilities to protect the proposed lots located adjacent to the existing wash area along the east portion of the site. The increase in grade will be determined by the drainage study approved by Clark County for the development. This increase in grade request does not affect the adjacent homes located south of the project as the proposed finish floor elevations are within 18" of the existing residences. It should be noted that the proposed

homes for this project are single story models that do not exceed 20' in height which will minimize the impact of the requested increase in grade.

The following standards are proposed:

1. Minimum lot size of 7,887 sf where 10,000 sf is required
2. Minimum distance between homes is 10'
3. Front setback of 20' where 30' is required
4. Front setback of 18' when meeting Table 30.40-1 R-D alternative A
5. Front setback of 18' on a cul-de-sac
6. Garage setback of 20' or 18' on a cul-de-sac
7. Side yard setback 5' where 10' is required
8. Corner side yard of 10' where 15' is required
9. Rear yard setback 20' where 25' is required
10. Patio Cover and Balcony (under 6') setbacks:
  - a. Rear yard of 3' where 12' is required
  - b. Corner side yard of 7' where 10' is required
  - c. Interior side yard of 3' where 7' is required for Patio Cover
11. Balcony (over 6') setbacks:
  - a. Rear yard of 17' where 22' is required
  - b. Corner side yard of 7' where 10' is required
  - c. Interior side yard of 3' where 7' is required
12. Accessory structure setbacks:
  - a. Interior side yard of 5'
  - b. Corner side yard of 5' where 10' is required
  - c. Rear yard of 5'

**Waiver of Standards #1:** Approval of a Waiver of Development Standards to allow a maximum 15' perimeter wall height (with 6' screen and 9' retaining/flood wall) where 9' wall height is allowed by Title 30 section 30.64.050(a)(4). This condition occurs along the eastern portion of the site adjacent to the existing wash.

*Justification: The increase in wall height is necessary to provide flood control protection adjacent to the existing wash along the east portion of the proposed development. The actual maximum wall heights will be determined by the flood control facility design for the conveyance storm water through the wash area. The design of the flood control facilities must meet Clark County flood control design requirements and will be reviewed and approved by CCPW in the development process.*

**Waiver of Standards #2:** Approval of a waiver of development standards of section 30.52.052(c) to allow a reduced offset street intersection of 81' where 125' is required between the intersections of Gomer Road and Cayton Court (the project's public street) along Buffalo Drive. The request is a 35.2% reduction of the 125' standard.

*Justification: The proposed reduced intersection offset does not create unsafe turning movements from the opposing street intersections as they enter Buffalo Drive since the Buffalo Drive/Cayton Court intersection is limited to only right turn ingress/egress movements due to the existing raised median in Buffalo Drive. The Gomer Road/Buffalo Drive intersection is controlled by a traffic signal ('T' intersection) to safely control traffic*

T  THOMASON  
C  CONSULTING  
E  ENGINEERS

*flow. Cayton Court will be STOP sign controlled at Buffalo Drive which will allow safe entry into the Buffalo Drive traffic stream.*

**Waiver of Standards #3:** Approval of a waiver of development standards of table 30.44-1 for Communication Towers section I.G.ii.a where 40 feet minimum is required from a street, we are proposing 14.58 feet (as 63.6% reduction).

*Justification: Due to the limitations in site layout to allow for the proposed lot dimensions, the setback from the internal road of 14.58 feet is available. While the existing "communication towers" are not located within a "public utility substation" the intent is to have Common Lot "A" be used only for the existing towers and the necessary utilities for it. Per the standard table 30.44-1 no other setbacks from the residential development is required, as the towers are not on a separate property; but the towers do have a minimum of 20.7 feet from the residential lot lines, which meet the minimum for the "public utility substation."*

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

Thomason Consulting Engineers

  
John McAvoy  
Project Manager



05/18/22 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

BUFFALO DR/GOMER RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0172-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**

**VACATE AND ABANDON** easements of interest to Clark County located between Gomer Road and Le Baron Avenue alignment, and between Buffalo Drive and Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-27-101-001 through 176-27-101-004

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to vacate existing patent easements on 4 parcels. Each parcel has 33 foot patent easements adjacent to each property line. Only a portion of the west side patent easement, adjacent to Buffalo Drive, on the western most parcel requires vacation.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0923	Communication tower height	Approved by PC	February 2019
UC-0463-10	Communication tower (stealth Monopine) and associated equipment	Approved by PC	November 2010
ADR-0686-07	Stealth Monopine not to exceed 80 feet	Approved by ZA	June 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	P-F	Public park (Exploration)
East	Ranch Estate Neighborhood (2 du/ac)	R-E	Undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West & South	Ranch Estate Neighborhood (2 du/ac)	R-E	Undeveloped & Mountains Edge single family residential development

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-22-0168	A zone change to reclassify to R-D zoning for a 30 lot PUD and finished grade is a companion item on this agenda.
TM-22-500060	A tentative map for 30 single family residential lots is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** EDDIE DUENAS

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,  
LAS VEGAS, NV 89119





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 2A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0172</u>	DATE FILED: <u>3-22-2022</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>BBB</u>	TAB/CAC DATE: <u>4-27-2022</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>5-18-2022</u>	
		FEE: <u>\$875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Fort Apache Homes Inc.</u>
	ADDRESS: <u>5560 S. Fort Apache Rd #100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Taylor Morrison c/o Eddie Duenas</u>
	ADDRESS: <u>1980 Festival Plaza Drive #500</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-407-7496</u> CELL: _____
	E-MAIL: <u>EDuenas@taylormorrison.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u>
	ADDRESS: <u>7080 La Cienega St. #200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u>
	E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

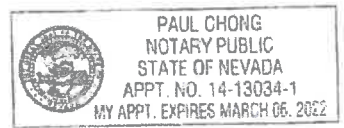
ASSESSOR'S PARCEL NUMBER(S): 176-27-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo / Gomer

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

\_\_\_\_\_  
 Property Owner (Signature)\*  
 STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON Apr 12 2022 (DATE)  
 By John Thi...  
 NOTARY PUBLIC: 
 \_\_\_\_\_

\_\_\_\_\_  
 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.

T THOMASON  
C CONSULTING  
E ENGINEERS

July 9, 2021

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

PLANNED  
COPY

VS-22-0172

**Reference:** Buffalo/Gomer  
Vacation of Patent Easements  
APN #176-27-101-001, 002, 003 &004

On behalf of Taylor Morrison Homes, we respectfully request your consideration of the attached vacation of patent easements and the drainage easement.

**Location:** The proposed project is located at the northeast corner of Gomer Road and Buffalo Drive within Section 27, Township 22 South, Range 60 East.

**Justification:** We are requesting to vacate the existing patent easements along the perimeter of the each of the parcels as they are not needed with the proposed subdivision. The roadway easements are not necessary for the development of the subdivision as a public street is proposed to provide access to the proposed subdivision. This public street will be dedicated with the Final Map for the project. Public access to the project is provided by Buffalo Drive.

If you have any questions or require additional information, please feel free to contact us.

Sincerely,



Sonia Macias  
Project Coordinator

05/18/22 BCC AGENDA SHEET

BUFFALO/GOMER 10  
(TITLE 30)

BUFFALO DR/GOMER RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-22-500060-SCHELL, WILLIAM A. SEPARATE PROPERTY TRUST & SCHELL, WILLIAM A. TRS:**

**TENTATIVE MAP** consisting of 30 residential lots and common lots on 9.9 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on southeast corner of Buffalo Drive and Gomer Road (alignment) within Enterprise. JJ/bb/jo (For possible action)

RELATED INFORMATION:

**APN:**

176-27-101-001 through 176-27-101-004

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 9.9
- Number of Lots/Units: 30
- Density (du/ac): 3
- Minimum/Maximum Lot Size (square feet): 8,082/9,870
- Project Type: Single family residential (detached)

The plans depict a detached single family residential planned unit development situated on a 9.9 acre site consisting of 30 residential lots with a density of 3 dwelling units per acre. The planned unit development (PUD) is more than 5 acres, with proposed gross lot sizes of 8,082 square feet to 9,870 square feet, respectively. Open space is not required for this PUD as the site is located within a rural residential zoning district, with a required open space area less than 10,000 square feet (7,471 square feet for this site). The minimum setbacks for the detached single family residences are as follows:

	Front Setback (feet)	Rear Setback (feet)	Side Setback (feet)	Side (Corner) Setback (feet)	Street
Single family residence*	20	20	5	10	
Patio cover	-	3	3	7	
Balcony (under 6')	-	3	3	7	

	Front Setback (feet)	Rear Setback (feet)	Side Setback (feet)	Side (Corner) Setback (feet)	Street Setback
Balcony (over 6')	-	17	3	7	
Accessory structure (accessory apartment or pool house)	-	5	5	5	

\* The PUD establishes alternative front, side, side street (corner) and rear setbacks; however street corner setbacks which are less than 10 feet from a street require a waiver of development standards.

Access to the project site is granted via a 49 foot wide public street, terminating in a cul-de-sac bulb, connecting to Buffalo Drive. A 5 foot wide sidewalk is provided along the north and south sides of the proposed public street, per Public Works standards.

Two existing communication towers are located approximately 230 feet east of Buffalo Drive. The subdivision is designed around the towers, establishing a common lot for the towers. Due to the creation of the new street and residential lots, reductions to the setbacks are required.

#### Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0923	Communication tower increased height	Approved by PC	February 2019
UC-0463-10	Communication tower (stealth Monopine) and associated equipment	Approved by PC	November 2010
ADR-0686-07	Stealth Monopine not to exceed 80 feet	Approved by ZA	June 2007

#### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	P-F	Public park (Exploration)
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West & South	Ranch Estate Neighborhood (up to 2 du/ac) & Mid-Intensity Suburban (up to 8 du/ac)	R-D, R-2, & R-E (RNP-I)	Mountains Edge single family residential development & undeveloped

#### Related Applications

Application Number	Request
ZC-22-0168	A zone change to reclassify an R-E to an R-D zone, reduce setbacks, increase wall height, off-set street intersection for a single family residential (detached) development, and finished grade is a companion item on this agenda.
VS-22-0172	A vacation and abandonment of easements is a companion item on this agenda.



## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

This request meets the tentative map requirements as outlined in Title 30. Staff is supporting the related zoning request and most use permits, waivers, and design reviews associated with this tentative map. Staff can support the tentative map.

#### **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:**

### **Current Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0242-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: EDDIE DUENAS**

**CONTACT: THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,  
LAS VEGAS, NV 89119**



# TENTATIVE MAP APPLICATION 3A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500060</u>	DATE FILED: <u>3-23-2022</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>RJB</u>	TAB/CAC DATE: <u>4-27-2022</u>
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>5-18-2022</u>	
		FEE: <u>\$750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>William A Schell Separate Property Trust</u> ADDRESS: <u>6345 Darby Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
-----------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>APPLICANT</b>	NAME: <u>Taylor Morrison c/o Eddie Duenas</u> ADDRESS: <u>1980 Festival Plaza Drive #500</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-407-7496</u> CELL: _____ E-MAIL: <u>EDuenas@taylormorrison.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-27-101-001, 002, 003, 004

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo / Gomer

TENTATIVE MAP NAME: Buffalo / Gomer 10

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

<u>William A Schell</u> Property Owner (Signature)* STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>4-22-2021</u> (DATE) By <u>William A Schell</u> NOTARY PUBLIC: <u>Anna Maria Domschot</u>	<u>William A Schell</u> Trustee 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



05/18/22 BCC AGENDA SHEET

HOTEL  
(TITLE 30)

GILESPIE ST/HIDDEN WELL RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0241-JOBSITE HOSPITALITY, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) parking lot landscaping; 3) loading space design; and 4) allow modified driveway design standards.

**DESIGN REVIEW** for a hotel on a portion of 7.7 acres in a C-2 (General Commercial) (AE-60) Zone.

Generally located on the east side of GilesPie Street, the south side of Carpenters Union Way, and 400 feet north of Hidden Well Road within Enterprise. MN/nr/ja (For possible action)

**RELATED INFORMATION:**

**APN:**

177-04-613-001 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a proposed hotel to 66 feet where a maximum of 50 feet is the standard per Table 30.40-4 (a 32% increase).
2. Reduce parking lot landscaping where Figure 30.64-14 is required.
3. Allow an alternative loading space design per Section 30.60.080.
4. Reduce throat depth to 8 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 230 Hidden Well Road
- Site Acreage: 7.7 (portion)
- Project Type: Hotel
- Number of Stories: 5
- Building Height (feet): 66
- Room Count: 147
- Parking Required/Provided: 147/147

Site Plans

The plans depict a proposed hotel on the northern half of the overall parcel, south of Carpenters Union Way, and north of 2 existing hotels. This hotel is entirely on the C-2 zoned portion of the overall parcel. The main entrance to the hotel with a porte-cochere faces south internal to the site. An 18 foot by 46 foot parallel loading space is located on the north side of the building. Access to the site is from Carpenters Union Way, Giles pie Street, and Hidden Well Road. The driveway requiring the reduced throat depth is along Carpenters Union Way.

Landscaping

The plans depict a width of 15 feet along Giles pie Street and 10 feet along Carpenters Union Way and La Cienega Street. Attached sidewalks exist along all streets. Internal landscaping is shown as around the perimeter of the hotel and 9 landscape islands within the parking area, where 13 additional islands are required per Figure 30.64-14. An 11 foot wide landscape strip divides the main parking area from the Homewood Suites to the south.

Elevations

The plans depict a 5 story, 66 foot high hotel building with a flat roof and parapet walls. Building materials consist of EIFS systems, stone/tile panels, and aluminum storefront systems. Rooftop mechanical equipment will be screened by a metal screen to match the building. Decorative color and material accents are incorporated into some of the columns and parapet walls.

Floor Plans

The plans depict a hotel consisting of the following: 1) 147 rooms; 2) check-in area with lobby; 3) lounge area; 4) pantry; 5) fitness room; 6) laundry; and 7) offices.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates this is an additional hotel for the Carpenter's Union. According to the applicant, the waiver to increase the building height is appropriate since the last occupied floor will be at 45.5 feet with everything above 50 feet designed as the finished roof, parapet walls, mechanical equipment, and mechanical screen wall. The throat depth reduction will not adversely impact the area since the driveway exists and is a secondary driveway. Additionally, providing the required 25 feet will negatively impact the traffic flow of the parking area by limiting the access/egress to 1 point of entry and will also reduce the total parking space quantity. The alternative loading space, it is stated, will allow for a quick pull in and out of the loading space without impacting the drive aisle.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-18-0178	66 foot high, 147 room hotel with reduced throat depth - expired	Approved by BCC	April 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0265-16	77 foot high, 166 room hotel with a waiver for reduced parking - currently under construction (Tru Hotel)	Approved by BCC	June 2016
UC-1744-05	Allowed kitchens in hotel rooms with a waiver to reduce parking (Homewood Suites)	Approved by BCC	December 2005
ZC-1666-04	Reclassified this portion of the overall site to C-2 zoning for future commercial uses subject to a design review as a public hearing on final plans	Approved by BCC	November 2004
ZC-0490-94	Reclassified a portion of the overall site to M-D zoning	Approved by BCC	May 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D & M-1	Office buildings
East	Business Employment	C-2 & M-1	Hotel (Homewood Suites) & training facility (Carpenter's Union)
South	Business Employment	R-E, C-1, & P-F	I-215, natural gas service station, & parking lot
West	Entertainment Mixed Use	H-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

Waivers of Development Standards #1 through #3 & Design Review

The increased building height is for the portion of the building that includes a parapet wall and mechanical equipment screening. The 2 existing hotels on this site and the existing training facility (United Brotherhood of Carpenters and Joiners) also exceed 50 feet. Additionally, a number of office buildings, up to 90 feet in height, exist on the abutting property to the north across Carpenters Union Way. Therefore, the proposed hotel height of 66 feet will be compatible with the existing buildings in the area and not adversely impact nearby properties. Staff cannot support the waiver of parking lot landscaping. There is no functional reason why parking lot

landscaping cannot be provided throughout the parking area. Without landscaping to break-up the parking area this parking lot will consist of a large, paved area that will contribute to the heat island effect. Lack of landscaping will increase dust in the area and increase storm water run-off during storm events; therefore, staff finds the lack of parking lot landscaping will have a negative impact on the area and does not support this waiver. The alternative loading space is discouraged since it could impact the adjacent drive aisle; however, the applicant indicates this is a typical design for a hotel use. The proposed building and site design are compatible with the surrounding uses and properties. Although staff does not support the landscaping and loading space waivers, the design has not changed since previously approved; therefore, staff can support these requests.

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

#### **Waiver of Development Standards #4**

The proposed site design is the same as the one approved in 2019. There are no changes to the previously approved driveway designs. 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.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- 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.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the



Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MARK BAKER

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





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 4A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (N2C)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: _____ DATE FILED: _____</p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: _____ TAB/CAC DATE: _____</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: _____</p> <p>FEE: _____</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Jobsite Hospitality, LLC</u></p> <p>ADDRESS: <u>212 Carpenters Union Way</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>(407) 271-7467</u> CELL: _____</p> <p>E-MAIL: <u>mark.baker@carpenters.org</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Mark Baker</u></p> <p>ADDRESS: <u>212 Carpenters Union Way</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>(407) 271-7647</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>mark.baker@carpenters.org</u> REF CONTACT ID #: <u>N/A</u></p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Jay Brown/Lebene Ohene</u></p> <p>ADDRESS: <u>520 South Fourth Street</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u></p> <p>TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u></p> <p>E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-04-613-001

PROPERTY ADDRESS and/or CROSS STREETS: Gilespie Street & Hidden Well Road

PROJECT DESCRIPTION: Proposed Hotel (previously approved WS-18-0178)

(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.

Mark Baker / 2/22 Mark Baker Manager for Owner Jobsite Hospitality LLC

Property Owner (Signature)\* \_\_\_\_\_ Property Owner (Print) \_\_\_\_\_

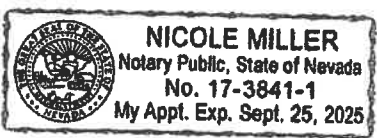
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Jan 27, 2022 (DATE)

By Mark Baker

NOTARY PUBLIC: Nicole Miller exp. 09/25/2025



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

April 13, 2021

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

**RE: Justification Letter (Revision 2)  
Gilespie & Hidden Well – Hotel for Carpenters Union  
Waiver of Development Standards and Design Reviews for a proposed  
Hotel.  
Assessors' Parcel Numbers: 177-04-613-001 (PTN)**

**To Whom It May Concern:**

On behalf of our Client, Jobsite Hospitality, we respectfully submit this application package for Waivers of Development Standards and Design Reviews for a proposed hotel.

This request is for the re-approval of a previously approved hotel (WS-18-0178), located on a 2.19 acre portion of a 7.7 acre parcel in a C-2 (AE-60) Zone. The site is east of Giles pie Street, south of Carpenters Union Way, and 400 feet north of Hidden Well Road. The hotel is five (5) stories, 66 feet high with 147 rooms. Two other hotels are developed on the southern portion of the parcel. The proposed hotel for use in conjunction with the Carpenters Union which has its headquarters locate on a separate parcel in close proximity to the subject site.

**Site Plan**

The plans depict a proposed hotel which was previously approved by action on WS-18-0178 on the northwestern portion of the parcel. There are two (2) other existing hotels on the site. The previously approved hotel is entirely on the C-2 zoned portion of the parcel. The main entrance to the hotel is from a porte-cochere that faces south and is internal to the site. The throat depth for the driveway on Carpenters Union Way is only eight (8) feet and requires a waiver of development standards. Access to the site is from Carpenters Union Way, Giles pie Street and Hidden Wells Way with shared cross access, ingress, and egress with the other developments on the site. A total of 147 parking spaces are provided for the hotel where 147 spaces are required.

**Landscaping:**

The plan depicts a minimum landscape width of 15 to 29 feet with an attached sidewalk along the Gilespie Street frontage. A ten (10) to 18 foot wide landscape area is provided along Carpenters Union Way with an attached sidewalk; and a ten (10) foot wide landscape area is shown along a portion of Lacienea Street on the east property line. Landscaping exists along both Hidden Wells Road and Lacienea Street with attached sidewalks on the south and east property lines and was provided with the development of the southern portion of the site.

**Elevations:**

The plans depict a five (5) story, 66 foot high hotel with a flat roof surrounded by parapet walls and metal screens. Building material consist of EFIS systems in contrasting colors, metal cladding, decorative stone/tile panels and glass and aluminum store front windows and door systems. Decorative materials and accents in complementary colors are incorporated in the columns and parapets of the building.

**Floor Plans:**

The plans depict 147 rooms, a lobby area, a lounge area, pantry, fitness room, laundry, and offices.

**Signage:**

Signage is not a part of this application and notes are provided on the plans to state that signage is not a part of the application.

**Waiver of Development Standards:**

- 1) Increase the building height to 66 feet where a maximum of 50 feet is the Code standard.

**Justification:**

The proposed building height of 66 feet is to accommodate the roof, parapet walls, mechanical equipment, the mechanical screens. The height of the occupied portion of the building is up to 45 feet 6 inches. The remaining height is for the parapet and the screening systems which actually enhances the building and was previously approved by action on WS-18-0178. The two (2) other hotels on the southern

portion of the site are also higher than the 50 feet allowed in the zoning district. Additionally, since the hotel and site are also adjacent to sites with buildings that are up to 90 feet high, this request is compatible with existing uses in the area.

**Waivers of Development Standards:**

- 2) Reduce the throat depth for the driveway along Carpenters Union Way to 8 feet where a minimum of 75 feet is required by Code.

**Justification:**

The request to reduce the throat depth is for a driveway that provides secondary access to the site and was actually shown and approved with the hotels on the site. The request will not adversely impact access to the site or the street because there are two other driveways that provide access to the site. Carpenters Union Way is a street that terminates into a cul-se-sac to the east and is, therefore, only used to access properties with direct access to the street and has limited traffic volumes.

- 3) Permit alternative parking lot design and landscape fingers which do not comply with Figure 30.64-14.

**Justification:**

The alternative design of the parking lot including the landscape fingers provided is more in compliance to Code than the other portions of the site with the two existing hotels. This design will also ensure that the required parking spaces are provided for the hotel, therefore, adequate parking is available for all three hotels on the site. This alternative design ensures that this portion of the site is integrated with the overall site and, therefore, fits into the overall design of the site without impacting the aesthetics of the site.

- 4) Permit an alternative loading space design.

**Justification:**

The loading space provided is 46 feet wide with a depth of 18 feet which is larger than the design per figure 30.60-6. This alternative design is actually typical for these types of hotel which are more business oriented. This design allows guests and delivery trucks to pull in with a quick turn in the loading space which is also typically adjacent to the front entry to the hotel. This parallel design of a loading

space in this case allows for a quick pull in and out of the loading space without impacting the drive aisle by providing a depth of 18 feet instead of 10 feet as well as a width of 46 feet instead of 25 feet. This the space reason for the width provided. Additionally, deliveries to hotels not often because of the uses. The delivery is usually by van and small truck for linen and food items for guest not by commercial vehicles or fifth wheel trucks. This alternative design actually complies with Section 30.60.080(4) allows for alternatives based on evidence that typical design may not fit in with a specific situation or site. Providing the typical design per the figure will actually not fit the design and function of the hotel.

**Design Review:**

A proposed hotel on a 2.19 acre portion of 7.7 acre parcel.

**Justification:**

The proposed hotel is an appropriate and compatible use on the site and the adjacent area. The design is compatible with the other developed hotel on the site, the area and complies with policy 6.1.2 because the development results in a balanced mix of uses in the area and does not create a conflict in uses on the site or area. Additionally, the proposed use also complies with Policy 5.5.1 for a development that creates jobs for the area.

We appreciate your review of the application and respectfully request your positive review and recommendation of the application.

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

Sincerely,

**BROWN, BROWN & PREMSRIRUT**  
Lebene Ohene


Land Use & Development

LAW OFFICE

*Brown, Brown & Premsrut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant



06/07/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

CACTUS AVE/QUARTERHORSE LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-22-0121-DOGWOOD HICKORY, LLC:**

**ZONE CHANGE** to reclassify 9.6 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; 2) increase wall height; 3) allow nonstandard improvements in the right-of-way; 4) waive street dedication; and 5) waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

**DESIGN REVIEWS** for the following: 1) single family residential development; 2) allow hammerhead turnarounds; and 3) finished grade.

Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise (description on file). JJ/jt/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-32-101-008; 176-32-101-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce landscaping along Cactus Avenue where landscaping per Figure 30.64-17 is required.
2. Increase wall height to 12 feet (6 foot retaining wall and 6 foot screen wall) where 9 feet (3 foot retaining wall and 6 foot screen wall) is the maximum per Section 30.64.050 (a 34% increase).
3. Allow nonstandard improvements (landscaping) in the Cactus Avenue right-of-way where not allowed per Chapter 30.52.
4. Waive the required dedication for a street alignment along the east side of the site where dedication is required per Chapter 30.52.
5. Waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) for Quarterhorse Lane where off-site improvements are required per Chapter 30.52.

**DESIGN REVIEWS:**

1. Single family residential development.
2. Allow hammerhead turnarounds where radius cul-de-sacs are the County's preferred turnaround per Section 30.56.080.
3. Increase finished grade to 126 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 250% increase).

**LAND USE PLAN:  
ENTERPRISE - OPEN LANDS**

**BACKGROUND:  
Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 9.6
- Number of Lots: 27
- Density (du/ac): 2.8
- Minimum/Maximum Lot Size (square feet): 10,000/11,370
- Project Type: Single family residential development
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 2,300/2,538/2,754

**Neighborhood Meeting Summary**

Notices were mailed to property owners within 1,500 feet of the site, and 2 virtual neighborhood meetings were held for this project. The first neighborhood meeting was held on November 25, 2020, and the follow-up neighborhood meeting was held on February 22, 2021. Eight neighbors attended the second neighborhood meeting, and concerns included traffic, the adjacent school, and horse traffic.

Site Plan

The site plan depicts a single family residential subdivision with a 58 foot wide private street with medians and gated access from Cactus Avenue on the north side of the site. The internal street network includes 38 foot wide private streets, which terminate in 2 stub streets on the east side of the site and 2 hammerhead turnarounds on the west side of the site. A design review is necessary to allow the hammerhead turnarounds since radius cul-de-sacs are the County's preferred turnaround design in residential subdivisions. Additional land use requests include waivers of development standards to not install off-site improvements along Quarterhorse Lane and to not dedicate a street alignment along the east side of the site.

Landscaping

Landscaping along Cactus Avenue includes a 5 foot wide landscape strip, a 5 foot wide detached sidewalk, and a 7 foot wide landscape strip, all within the public right-of-way. A waiver of development standards is necessary to allow nonstandard improvements (landscaping) within the right-of-way. Another waiver of development standards is also necessary to not provide trees on the street side of the detached sidewalk along Cactus Avenue. However, an additional 10 foot wide landscape strip is provided on-site, behind the landscaping in the right-of-way along Cactus Avenue.

Landscaping along Quarterhorse Lane includes a 10 foot wide equestrian trail and a 5 foot wide landscape strip. Although, 5 feet of the equestrian trail is depicted in the right-of-way, and 5 feet of the equestrian trail is depicted on-site.

The subdivision also includes several pedestrian connections. Sidewalks are provided on both sides of the 58 foot wide private street connecting to Cactus Avenue. In addition, a 20 foot wide landscape area with a pedestrian pathway is provided in the northeast portion of the site connecting from an internal stub street to Cactus Avenue. Lastly, pedestrian connections are provided from the hammerhead turnarounds to Quarterhorse Lane along the west side of the site.

#### Elevations

All the model homes are single story and extend up to a maximum height of approximately 18 feet. Elevations include pitched tiled roofs and various combinations of architectural enhancements on the elevations to provide variety and visual interest. Architectural enhancements include stone veneer, decorative lights, and stucco pop-outs around the windows.

#### Floor Plans

Three floor plans are provided, which are 2,300 square feet, 2,538 square feet, and 2,754 square feet. Each floor plan includes a living room, kitchen, bedrooms, bathrooms, and a 3 car garage.

#### Applicant's Justification

According to the applicant, the proposed R-D zoned single family subdivision will provide an appropriate transition from the R-2 zoned single family subdivisions to the north to the R-E zoned single family residences and natural terrain to the south. The design alternatives associated with the project are appropriate and will not create any negative impacts. For example, the waiver of development standards to not install off-sites along Quarterhorse Lane will help maintain the rural aesthetic of the area, and the neighbors requested that off-sites not be installed along this right-of-way.

Similarly, the waiver of development standards to allow landscaping in the right-of-way and to not install trees on the street side of the detached sidewalk along Cactus Avenue are due to future Public Works projects in the area. The proposed curb location along Cactus Avenue matches the curb location on the Public Works improvement plans, which includes 17 feet of dedicated right-of-way that will not be fully improved with off-sites. As a result, the applicant requests to landscape this area. Also, a storm conduit is proposed under Cactus Avenue in this area. Therefore, trees on the street side of the detached sidewalk could interfere with the future storm water improvements. Nevertheless, the applicant would agree to a condition to install the trees if the storm water conduit is not needed, or if Public Works approves the trees.

The applicant also indicates that the hammerhead turnarounds will not create any negative impacts, and the dedication of the street alignment along the east side of the site is not necessary. Lastly, the increased finished grade and increased wall heights are necessary due to the topography of the site, which drops in elevation over 10 feet from the west to east along with an increase in elevation over 10 feet from the north to south.

**Prior Land Use Requests**

Application Number	Request	Action	Date
LUP-20-700095	Request to redesignate the land use category from OL (Open Land) to RL (Residential Low) - Enterprise Land Use Plan update cancelled due to pandemic	Cancelled by BCC	April 2020
NZC-19-0250	Request to R-2 zoning for a 64 lot residential subdivision	Withdrawn by applicant	August 2019
TM-19-500077	Tentative map for a 64 lot single family residential subdivision	Withdrawn by applicant	August 2019
VS-19-0251	Vacation and abandonment of patent easements	Withdrawn by applicant	August 2019
NZC-18-0549	Request to R-2 zoning for a 64 lot single family residential subdivision	Withdrawn by applicant	August 2018
NZC-0442-06	Request to R-2 & R-3 zoning to add approximately 20 acres into the Mountain's Edge Master Planned Community	Withdrawn by applicant	April 2006

**Surrounding Land Use**

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

**Current Planning**

Zone Change

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

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

Changing trends since the most recent adoption of the Enterprise Land Use Plan include the tremendous increase in demand for housing and the additional residential development in this area. Demand for housing in Clark County has exceeded supply, and these additional housing

units will increase the overall housing supply. Furthermore, R-2 zoned subdivisions were approved and built at the northeast corner of El Capitan Way and Cactus Avenue, and the southwest corner of Durango Drive and Cactus Avenue. Additional R-2 zoned subdivisions were approved and built east of Durango Drive on both the north and south sides of Cactus Avenue. As a result, both the increased demand for housing and additional residential development in this area indicates changing trends since the most recent adoption of the Enterprise Land Use Plan that would help make this nonconforming zone boundary amendment appropriate.

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

In this area, Cactus Avenue was planned as the division between more intense development to the north and open land to the south. However, a school and several R-2 zoned single family subdivisions were built on the south side of Cactus Avenue. Furthermore, expansive R-2 zoned subdivisions are located directly on the north side of Cactus Avenue within a former Major Projects area (Mountain's Edge). As a result, the proposed R-D zoned subdivision is compatible with uses in the area, and it will provide an appropriate transition between the more intense R-2 zoned subdivisions to the north and the R-E zoned single family residences and open land to the south.

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

There has been no indication from the public utility purveyors that the nonconforming zone boundary amendment would have a negative impact on public facilities and services. However, the Clark County School District indicates that Desert Oasis High School was over capacity for the 2021-2022 school year. Both Thompson Elementary School and Gunderson Middle School were under capacity for the same school year.

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

Goal 1.1 of the Clark County Master Plan encourages opportunities for diverse housing options, and Policy 1.1.1 encourages a mix of housing at varied densities and in numerous locations. Here, R-D zoning will allow for an appropriate transition of housing density between the more intense R-2 zoned subdivisions to the north and the R-E zoned single family residences and open land to the south. R-D zoning will also add to the mix of housing types as this area is a transition between suburban and rural development.

#### **Summary** **Zone Change**

Changing trends of increased demand for housing and additional housing development in this area help make the nonconforming zone boundary amendment appropriate. In addition, the proposed R-D zoning is compatible with the area since it creates a transition between R-2 zoning

to the north and R-E zoning to the south. Lastly, there will be no negative impacts to public services and infrastructure, and the request complies with adopted goals and policies in the Master Plan.

#### 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

Not installing trees on the street side of the detached sidewalk is necessary due to a potential Public Works improvement project in the area. In addition, this waiver of development standards would only eliminate the trees located on the street side of the sidewalk on the east side of the private street entrance from Cactus Avenue. Sight visibility zone requirements already eliminate the installation of trees on the street side of the detached sidewalk on the west side of the private street entrance from Cactus Avenue. As a result, this waiver will make the street landscaping appear more consistent along the entire Cactus Avenue Street frontage, and staff can support the request.

#### Waiver of Development Standards #2

Increasing the retaining wall heights is necessary due to the topography of the site. Most of the increased retaining walls will occur internal to the site; however, increasing the retaining walls will also be necessary along the eastern property line. Nevertheless, the property to the east is planned for Open Lands. Immediately to the east is an undeveloped portion of a BLM land, and farther east is a school. As a result, there will be no direct impact to existing residential development, and staff can support the request.

#### Design Review #1

The proposed subdivision and single family residences are both consistent with the standards of approval for a design review. For example, the layout of the subdivision, site access, and circulation will not negatively impact adjacent roadways or neighborhood traffic. In addition, multiple pedestrian pathways are provided to both Cactus Avenue and Quaterhorse Lane. Furthermore, the single family home models are aesthetically pleasing and harmonious and compatible with the area. As a result, staff can support the design review.

#### Design Review #2

Per Title 30, factors that will be considered in determining whether a hammerhead design is appropriate include: 1) the number and layout of on-site parking spaces, 2) driveway length, 3) the number of hammerheads, 4) size of lots, and 5) shape and other constraints of the property. Using these criteria, the number of lots in the subdivision is relatively low (27), and each lot includes more than the minimum number of on-site parking spaces. In addition, the driveway lengths meet Title 30 standards, and each residence will include a 3 car garage. Also, there are only 2 hammerheads within the subdivision, and the size of the lots all meet or exceed the 10,000

square foot minimum. Lastly, the grade difference on the site presents a physical constraint in which hammerhead turnarounds may be more appropriate for the terrain. As a result, staff can support the design review.

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

#### Waiver of Development Standards #3

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 #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

#### Waiver of Development Standards #4

Staff has no objection to the request to not dedicate the street alignment on the east side of the parcel. The segment of that street is not necessary for access and would not serve a public purpose.

#### Waiver of Development Standards #5

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

#### Design Review #3

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

### **Staff Recommendation**

Approval of the zone change, waivers of development standards #1 through #4, and the design reviews; denial of waiver of development standards #5. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 22, 2022 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;

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

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Right-of-way dedication to include 50 feet for Cactus Avenue and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Cactus Avenue improvement project;
- Off-sites on Cactus Avenue to be installed in accordance with the approved plans for the Cactus Avenue improvement project;
- Applicant to coordinate a contribution with Public Works for improvements on Cactus Avenue;
- Vacate any unnecessary rights-of-way and/or easements;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to resord required right-of-way dedications and any corresponding easements for any collector street or larger.
- 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.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0007-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DOGWOOD HICKORY LLC

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





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 5A

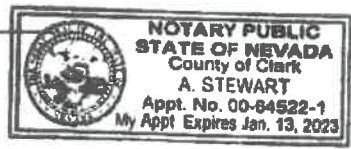
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>NZC-22-0121</u> DATE FILED: <u>4/6/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: <u>6/7/22</u> BCC MEETING DATE: <u>6/22/22</u> (MOVED FROM 7/6/22) FEE: <u>\$3,527.50</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Dogwood Hickory, LLC</u> ADDRESS: <u>1635 Village Center Circle, Ste. 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 242-4949</u> CELL: _____ E-MAIL: <u>lbadger@fcglv.com</u>
	<b>APPLICANT</b>  NAME: <u>Dogwood Hickory, LLC</u> ADDRESS: <u>1635 Village Center Circle, Ste. 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 242-4949</u> CELL: _____ E-MAIL: <u>lbadger@fcglv.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  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: _____ E-MAIL: <u>sha@kcnvlaw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-32-101-008 and 009  
 PROPERTY ADDRESS and/or CROSS STREETS: SEC Cactus/Quarterhorse  
 PROJECT DESCRIPTION: NZC from R-E to R-D

(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.

Thomas J. DeVore  
 Property Owner (Signature)\*      Thomas J. DeVore  
 Property Owner (Print)



STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON October 4, 2022 (DATE)  
 By Thomas J. DeVore  
 NOTARY PUBLIC: A Stewart

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



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

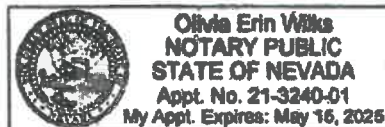
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>NZC-22-0121</u> DATE FILED: <u>4/6/22</u> PLANNER ASSIGNED: <u>JET</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: <u>6/7/22</u> BCC MEETING DATE: <u>6/23/22</u> (MOVED FROM 7/6/22) FEE: <u>\$ 3,527.50</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Ross Bentulan</u> ADDRESS: <u>10014 Valley Ridge Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Dogwood Hickory, LLC</u> ADDRESS: <u>1635 Village Center Circle #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  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: _____ E-MAIL: <u>sha@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-32-101-008 and 009  
 PROPERTY ADDRESS and/or CROSS STREETS: Cactus/Quarterhorse  
 PROJECT DESCRIPTION: NZC from R-E to R-D

(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.

R. Bentulan      Ross Bentulan  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 02/17/2022 (DATE)  
 By Ross Bentulan  
 NOTARY PUBLIC: Christina...



\*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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Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257

March 7, 2022

**VIA UPLOAD**

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

**Re: *Updated Compelling Justification Letter – Non-conforming Zone Change for APN: 176-32-101-008 and 009; Design Review for a Single Family Residential Development; Design Review to Increase Finished Grade; and Waivers of Development Standards***

To Whom It May Concern:

Please be advised our office represents Dogwood Hickory, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 9.55 acres and is located on the southeast corner of Cactus Avenue and Quarterhorse Lane. The property is more particularly described as APN’s: 176-32-101-008 and 009 (the “Site”). The Applicant is proposing a non-conforming zone change from R-E to R-1. The Applicant is also requesting a design review for a proposed single family residential development, a design review for increased grade, and associated waivers of development standards.

**Non-conforming Zone Change:**

The Enterprise Land Use Plan designation for the Site is Open Lands. The Applicant is seeking a non-conforming zone change to R-1. This request satisfies the criteria for a non-conforming zone change with the compelling justification required by Title 30 as follows:

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

The existing Open Lands (OL) land use designation is no longer consistent with the area as the master planned community of Mountain’s Edge is immediately to the north of the Site and there is residential development to the south of the Site. There is also a Cactus roadway improvement project planned that makes this Site inappropriate for OL. The surrounding uses in the area include a mix of R-2 and R-E residential developments as well as Public Facilities. The proposed R-1 development is a good transitional zoning between the RE residential to the south and the R-2 residential to the north.

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

The density and intensity of the uses allowed by the non-conforming zoning is compatible with the existing and planned land uses in the surrounding area. The residential developments to the immediate north within and outside of the Mountain’s Edge Master Planned Community are zoned R-2. The standalone homes in the area are zoned R-E with a school just to the east of the proposed site. The

proposed R-1 development fits in with these lower density developments and will provide a transition from the RE residential to the south and the R-2 residential to the north. The applicant's proposed R-1 zoning is compatible with the existing and planned zoning and land uses in the area.

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

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

**3) The proposed amendment conforms to other applicable adopted plans, goals, and policies.**

The proposed non-confirming zoning conforms to the newly adopted core values in the Transform Clark County Master Plan. The proposed development offers residential housing that transitions from the existing rural neighborhoods to the south to the completed neighborhood of Mountain's Edge to the north, creating a unique and compatible community in line with Clark County's Core Value #1. The applicant is proposing rural streets with an equestrian trail along Quarterhorse to keep the neighborhood to conform to the unique neighborhood to the south. There is also a pedestrian access gate provided from the community to access Quarterhorse so residents of the development may enjoy the rural lifestyle to the south and also access the Cactus thoroughfare to the north. The plan also meets the objectives of Core Values #2 and #4 which encourages equitable access, trails and connectivity. The Quarterhorse trail will provide access to a rural lifestyle south and to the Cactus thoroughfare north with connectivity to public transportation.

**Design Review:**

The applicant is proposing a 27 lot R-1 development on approximately 9.55 acres for a density of 2.83 lots per acre. The lot sizes all exceed 10,000 square feet. There will be one gated point of ingress and egress for the community on Cactus Avenue. The homes will all be one story and will range in size from 2,300 square feet to 2,754 square feet. All homes will have three car garages with full size driveways. Between the garage parking spaces, the driveways, and the on street parking, the required parking spaces of 54 spaces will be exceeded. The look of the homes will have a modern aesthetic with various natural stone accents and colors to blend with the natural surroundings.

The proposed one-story community with 10,000 square foot lots will create a perfect transition from the urban R-2 developments across the street to the north and the rural RE development to the south. The one story homes are compatible and will have minimal impact on the RE residential to the south. The vehicular access has also been intentionally limited to Cactus Avenue to keep traffic to a minimum south of the Site.

The applicant is also requesting a design review for finished grade. The finished grade will be increased a total of 10.5' where 18" is allowed. This increase is due to the topography of the subject

property with a drop in elevation over 10' from west to east on the Site and an increase in elevation over 10 feet from north to south.

**Waivers of Development Standards:**

The Applicant is requesting to waive the off-site improvements on Quarterhorse Lane in order to help minimize the impacts of the proposed development on the rural aesthetic of the area south of Cactus Lane. Numerous residents who participated in the neighborhood meetings requested that the roadway improvements on Quarterhorse Lane remain non-urban with no streetlights, curb or gutter, and with reduced pavement and an equestrian trail. The applicant has incorporated the neighbors' requests into the overall design, but a waiver of off-sites is necessary to develop the project as such.

A waiver of landscaping is being requested on the north side of the sidewalk east of the driveway on Cactus Lane. The reason for the requested waiver is because there will likely be a large storm sewer conduit under Cactus Lane in this area. The applicant would agree to a condition to install trees if a sewer conduit is not needed and/or if Public Works approves trees in this area.

As discussed above, there is a significant change in grade over this Site. As such, the Applicant is requesting a waiver of development standards to increase the height of the retaining walls up to six (6) feet on top of the six (6) foot screen wall. Most of the retaining will be internal to the Site; however, there will be some necessary retaining along the eastern edge of the Site.

**The Applicant is requesting a waiver for non-standard improvements (landscaping and associated irrigation system improvements) in the right-of-way. Clark County will have a future improvement project in that area around Cactus Avenue and what is shown as the curb line on Cactus is in-line with what Clark County's improvement project is doing. The Applicant will have an extra 17 feet of dedicated right-of-way that will not be fully improved with off-sites, and landscaping is shown in that right-of-way. Therefore, we are requesting the waiver for non-standard improvements in the right-of-way.**

**Finally, the Applicant is requesting a waiver of development standards to not dedicate the street alignment on the east side of the parcel.**

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

Sincerely,

KAEMPFER CROWELL



Stephanie Allen

SHA/LAK





06/07/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

PEBBLE RD/PARK ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-22-0222-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**

**ZONE CHANGE** to reclassify 10.5 acres from R-E (Rural Estates Residential) (RNP-I) Zone and R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced lot area; 2) increase site disturbance within a hillside area; and 3) increase wall height.

**DESIGN REVIEWS** for the following: 1) a single family residential development; 2) allow a hammerhead street design; 3) a single family residential development within a hillside area; and 4) increased finished grade.

Generally located on the north side of Pebble Road and the east side of Park Street (alignment) within Enterprise (description on file). JJ/al/jc (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-18-801-011

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the area for 1 lot to 3,200 square feet where a minimum of 3,300 square feet is required per Table 30.40-2 (a 3% reduction).
2. Permit a 100% site disturbance within a hillside area where a maximum site disturbance of 50% is allowed per Table 30.56-1 (a 100% increase).
3. Increase wall height to a maximum of 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum wall height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).

**DESIGN REVIEWS:**

1. A single family residential development.
2. Permit a street to terminate in a hammerhead where a radius cul-de-sac per Uniform Standard Drawing 212 is the preferred design per Section 30.56.080.
3. A single family residential development within a hillside area.
4. Increase finished grade to a maximum of 154 inches where maximum of 36 inches is standard per Section 30.32.040 (a 327.8% increase)

**LAND USE PLAN:**

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

ENTERPRISE – OPEN LANDS

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

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

- Site Address: N/A
- Site Acreage: 10.5
- Number of Lots: 32 residential lots/2 common elements
- Density (du/ac): 3.0
- Minimum/Maximum Lot Size (square feet): 3,264/6,381
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 27
- Square Feet: 1,735 to 1,935
- Open Space Required/Provided: 0/5.5 acres

**Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 10.5 acres from an R-E zone and R-E (RNP-I) zone to an R-2 zone for a single family residential development. The applicant conducted a neighborhood meeting at the Windmill Library on November 17, 2021, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 14 neighbors attended the meeting. Concerns raised at the meeting included traffic, project density, lot sizes, architecture of the proposed homes, and access to the wash in the northern portion of the site.

**Site Plan**

The plan depicts a single family residential development consisting of 32 lots on approximately 10.5 acres with a density of 3 dwelling units per acre. The northern approximately 5.5 acres of this site is impacted by a wash and will be left undisturbed as much as possible. Only the area south of the wash will be developed which is approximately 5 acres and the density for just this portion of the site is approximately 6.4 dwelling units per acre. Access will be provided to the site by 2 proposed streets that intersect with Pebble Road, no lots within the development will take access from Pebble Road. Access within the development will be provided by 49 foot wide public streets which will have sidewalks on both sides of the street. The plans show one street which terminates in a hammerhead, all other streets within the development are stub streets. The proposed hammerhead is located on the western portion of the site and will provide access to 2 lots. The application includes a request to reduce the area of 1 lot, which is located to the south of the proposed hammerhead and will have an area of 3,264 square feet. The development site generally slopes down toward the wash in northeasterly and easterly directions. The increased fill and increased retaining wall will be utilized throughout the development site to balance the project and provide property drainage. The highest increases will be located in the northeast

corner of the development site. Per County records there is an area of more than 2.5 acres with slopes that exceed 12%, which is located in the central portion of the development site and extends to the east and southeast onto adjacent properties. This slope area is considered as a hillside area. The portion of this hillside area located within the development site is approximately 1.2 acres. The majority of the remaining hillside area is located within the right-of-way of Pebble Road.

**Landscaping**

The plans depict landscape areas along Pebble Road that are between 5 feet and 15 feet wide, with an average width of 10 feet. These landscape areas will consist of trees, shrubs, and groundcover.

**Elevations**

The plans depict 3 home models that are all 2 stories with a maximum building height of approximately 27 feet. All of the homes have pitched roofs with concrete tile roofing materials. The exterior of the homes will consist of combinations of a stucco finish painted in earth tone colors, stone veneer, various window treatments, and architectural enhancements.

**Floor Plans**

The proposed homes will be between 1,735 square feet to 1,935 square feet in area. Each home will have 3 to 4 bedrooms and a 2 car garage.

**Applicant's Justification**

The applicant indicates that the proposed development is consistent and compatible with existing developments in the area. The increase in finished grade and retaining wall heights are necessary to balance out the site and provide property drainage. The existing hillside area is a small, insignificant area, much of which is located within the right-of-way of Pebble Road, which has already been disturbed. Additionally, the design of the development will preserve the existing wash on the northern portion of the parcel, which is a more significant natural feature. The proposed development does not have enough area to allow for the preferred bulb cul-de-sac design and other developments in this area have used the hammerhead design.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1026-05	Established an RNP-I Overlay District for the portions of the Enterprise Planning Area which included a portion of this site	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Compact Neighborhood (up to 18 du/ac)	R-E & R-2	Single family residential & undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-2	Single family residential & undeveloped

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
East	Open Lands	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-E	Agriculture use (horses) & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment Area.

**Related Applications**

Application Number	Request
VS-22-0223	A request to vacate and abandon a flood control easement is a companion item on this agenda.
TM-22-500076	A tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

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

There has been an increased demand for single family residential development in the Enterprise Planning area in recent years. Several projects of various densities and intensities have been approved, constructed, and units occupied. This includes 2 on the south side of Pebble Road abutting this site. NZC-20-0108 reclassified the parcels to the south to an R-2 zone for a single family residential development which is currently under development. NZC-21-0462 was approved farther to the southeast for a single family residential development that currently has a drainage study (PW22-10340) in Public Works for review. Therefore, staff finds there has been a change in trends and facts that have changed the character of the area which makes the proposed request appropriate.

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

The proposed development is of similar density and intensity to the existing single family residential developments to the north and south, which are in an R-2 zone. To the east are parcels that are public lands under the control of Clark County (Public Works) and the Bureau of Land Management which are impacted by the wash. These parcels will not be developed in order to preserve the wash for flood control. To the west is a parcel that is used to keep horses (agriculture use). The parcel to the west is zoned R-E and R-E (RNP-I) which is a lower density/intensity zoning district, and the Master Plan is designating the site as Ranch Estate Neighborhood (up to 2 du/ac). Single family residential development in an R-2 zone can be compatible with development in an R-E zone if mitigation is provided such as landscaping to buffer the uses or transitioning lot sizes. The proposed development is not providing mitigation to the adjacent parcel to the west. Therefore, the proposed development is not compatible with all existing land uses in this area.

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

There has been no indication from public services and facility providers that this development would have an adverse effect on public facilities and services in this area. The Clark County School District has indicated that this development would increase student yield by 12 students for the schools that serve this area (5 elementary students, 3 middle school students, and 4 high school students). The School District also indicates that 2 schools that would serve this area (Sierra Vista High School & Steele Elementary School) are over capacity with current enrollment.

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

The proposed development does comply with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project complies with Policy 1.3.2 of the Master Plan which encourages a mix of housing options, product types, and unit sizes. However, the project does not comply in part with Policy 1.5.2 Compatible Development within the Master Plan to protect the established character and lifestyles associated with RNP areas by transitioning densities with larger lots adjacent to RNP properties. Therefore, the project does not comply with other applicable goals and policies.

### **Summary**

#### **Zone Change**

Staff finds that there has been changes in law, policies, trends, or facts that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate. However, the proposed development is not compatible in density or intensity with all existing land uses in the surrounding area. While the project will not have an adverse effect on public facilities and services; the project does not comply with other applicable adopted plans and goals. Therefore, staff finds the applicant has not provided a Compelling Justification to warrant approval of this

nonconforming zone change, in part due to the design of the proposed subdivision. The approval of a nonconforming zone change is tied to the plans approved for the project. As explained below there are aspects of the design of the proposed subdivision that staff does not support. Since staff cannot fully support the design of the development, staff cannot support a request to reclassify the project to an R-2 zone based on this design.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff finds that the applicant has not provided a sufficient justification to warrant approval of a reduction in lot area for the 1 lot within the proposed development. Staff finds the proposed lot size is due to the design of the development which is a self-imposed hardship that staff does not support.

#### Waiver of Development Standards #2

The hillside area in question includes a portion of this site and areas located within the right-of-way of Pebble Road. The portion of this hillside area within the right-of-way has already had more than a 50% disturbance. This is an isolated spot, there are no other areas over 2.5 acres in size with slopes that exceed 12% within 2,000 feet of this site. Therefore, staff could support this waiver if staff supported the zone change portion of this request.

#### Waiver of Development Standards #3

The applicant indicates that the increase in wall height is needed to balance the site and allow for proper drainage. The topography of the site can be a special and/or unique circumstance to allow a waiver to increase wall height; however, since staff does not support the zone change staff cannot support this request.

#### Design Reviews #1, #2, and #3

Staff does not support the design of the proposed development. Larger lots should be provided along the west property line to provide a transition area to protect the adjacent parcel. Staff does not support the request to reduce lot area for the 1 lot; therefore, staff cannot support the design review for the subdivision with a lot not meeting the required minimum lot area. The plan is depicting a hammerhead design at the termination of a street and the applicant indicates that this design is necessary because there is not enough area to accommodate a radius bulb cul-de-sac. The plans show this hammerhead provides access for only 2 lots. A stub street could be provided at the end of this street, which would match the design for the ends of the other streets within the proposed development. Therefore, staff does not support these design reviews.

## **Public Works - Development Review**

### **Design Review #4**

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. However, since areas of the proposed development may conflict with what portions of the drainage easement can be safely vacated, staff finds that the plans provided with this application are premature and, therefore, cannot support this request.

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 22, 2022, at 9:00 a.m., unless otherwise announced.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- Resolution of Intent to complete in 4 years;
- Lots along the west property line to be a minimum of 5,000 square feet;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 4 years of approval date or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 40 feet for Pebble Road.

- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0162-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ENCORE INVESTMENTS LLC

**CONTACT:** ENCORE ENGINEERING LLC, 7272 S. EL CAPITAN WAY, STE 2, LAS VEGAS, NV 89148





# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <i>19002*</i> <input checked="" type="checkbox"/> NONCONFORMING (NZN) <i>10.5 ac x 50 = 52500</i> <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <i>4750</i> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <i>6750</i>  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>NZC-22-0222</u> DATE FILED: <u>4-11-22</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-11-22</u> PC MEETING DATE: <u>6-7-22</u> BCC MEETING DATE: <u>7-6-22 (6-22-22)</u> FEE: <u>\$3575.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Spacefinders Realty Inc.</u> ADDRESS: <u>3535 Executive Terminal Dr, #300</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	<b>APPLICANT</b>  NAME: <u>Encore Investments LLC</u> ADDRESS: <u>7272 S El Capitan Way, #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100 or (702) 528-1120</u> E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>
<b>CORRESPONDENT</b>  NAME: <u>Encore Investments LLC</u> ADDRESS: <u>7272 S El Capitan Way, #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100 or (702) 528-1120</u> E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-18-801-011

PROPERTY ADDRESS and/or CROSS STREETS: Park Street and W Pebble Road

PROJECT DESCRIPTION: Non-Conforming Zone Change and Design Review for a Single Family 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.

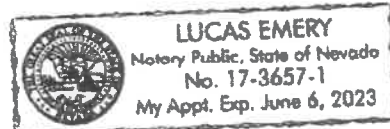
Property Owner (Signature)\*

Eliot ALPER, PRESIDENT  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 6, 2021 (DATE)

By Eliot A. Alper  
NOTARY PUBLIC: [Signature]



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

*APR. 21-10276*



**7272 S El Capitan Way Las Vegas NV 89148  
Tel (702)579-3301 Fax (702)579-3358**

March 19, 2022

*N20-22-0222*

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 551744  
Las Vegas, Nevada 89155-1744

**RE: Project Description and Compelling Justification for the Proposed Nonconforming Zone Boundary Adjustment, Design Review and Waiver of Development Standards for a Single Family Residential Subdivision, Park and Pebble (APN: 176-18-801-011)**

Dear Sir or Madam:

On behalf of Encore Investments LLC ("Applicant"), we respectfully request a Non-Conforming Zone Boundary Adjustment, Design Review and Waiver of Development Standards pursuant to Title 30, Section 30.16 of the Clark County ("CC") Development Code for Park and Pebble, a proposed 32 lot single family residential subdivision.

### **PROJECT DESCRIPTION**

The subject property encompasses approximately 10.48 acres and is generally located at the northeast corner of the intersection of Park Street and W Pebble Road, more specifically described as APN: 176-18-801-011, in the unincorporated Clark County, Nevada (the "Property"). Portions of an existing CC Flood Control Right-of-Way ("ROW") are proposed to be vacated to accommodate a 32 lot single family residential subdivision.

### **NON-CONFORMING ZONE BOUNDARY ADJUSTMENT**

The planned land use of the northern portion of the Property is Public Facility ("PF"), Residential Low ("RL") in the southeast portion of the Property and designated Rural Neighborhood Preservation ("RNP") in the southwest portion of the Property. The Non-Conforming Zone Change ("NCZC") proposed is from Rural Estates Residential ("R-E"), allowing 2 du/ac to Medium Density Residential ("R-2"), allowing 8 du/ac. The proposed density is 3.05 du/ac.

### **COMPELLING JUSTIFICATION**

Pursuant to Title 30, Section 30.16.060 of the CC Development Code, satisfaction of the following criteria has been provided as "Compelling Justification" for the proposed Non-Conforming Zone Change.



**“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 property directly south has a planned land use of PF with an approval in May of 2021, for a NCZC to R-2 (ROI-20-0108). The recent NCZC demonstrates a continuing trend that is aligned with Applicant’s proposed development, justifying an appropriate nonconforming boundary amendment characteristic of the surrounding area.

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

The developed lots in the vicinity of the Property, generally east, directly south of W. Pebble Road and directly to the north, is predominately zoned R-2. The proposed development, with a minimum lot size of 3,300 sf, has a lot configuration that is characteristic of the prevalent lot size and of the surrounding area.

Vacation of the existing CC Flood Control ROW, currently designated as PF on the Property, includes portions of the Property now removed from the Special Flood Hazard Area (SFHA). The proposed reconfigured CC Flood Control ROW will allow development in areas within the current land use designation of PF to be developed without flood hazard risk.

Dedication of the CC Flood Control ROW and open space maintained on the northernmost portion of the property integrates the proposed development with open space and preserves the significant natural features of the wash.

**“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; and”**

The development of 32 sin The rate of growth of the proposed development should not exceed the ability of the community and the area to provide facilities and services. The single family homes will have minimal impact on the roads, local schools, park and other public services.

Based on the initial assessment of the stormwater flow patterns, it does not appear that this development would adversely affect drainage facilities in the area. As discussed in the section above and the “Vacation” section below, portions of the PF land use designation can now be developed with minimal adverse flood risk.



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

The dedication of the CC Flood Control ROW allowing construction of a trail on the south side of the was and open space maintained on the northernmost portion of the property follows the policies and goals of the city’s comprehensive land use plan designating are subject area as Public Facility. The proposed NCZC is consistent with the recently adopted R-2 zoning south of Pebble Road. The property recently re-zoned in May of 2021 was designated PF under the comprehensive land use plan.

### **DESIGN REVIEW**

The Applicant’s proposed single family residential development consists of 32 lots south of the proposed CC Flood Control ROW ranging from 3,300 sf to 6,381 sf with an average lot size of 3,940 sf. The 3,300 sf lot size conforms to the required minimum lot configuration. The 3.05 du/ac does not exceed the allowable 8.0 du/ac of the proposed R-2 zoning designation.

#### Site Layout

The interior public streets are generally 49-ft wide that will have “R” type curb needed since houses will be fronting on those streets and 5-ft wide sidewalks. There are 2 ingresses/egresses off of W. Pebble Road. Off the interior street, traversing the site and running parallel to Park Road, there are 2 stub outs to the north. The stub outs that do not exceed 150-ft in length. No building structure shall be constructed within the 50-ft setback from the proposed CC Flood Control ROW.

#### Setbacks

The following setbacks comply with Title 30, R-2 zoning:

- 20’ front and 10’ reduction for maximum 50% of the building;
- 5’ side (interior);
- 10’ side (corner); and
- 15’ rear and 5-feet for patios

#### Hammerhead

A bulb cul-de-sac does not accommodate the proposed lot layout. A hammerhead per CCAUSD No. 212.1.S1 terminates Blazer Court near the westernmost property line, to be utilized as an approved turn-around within the subdivision. The same hammerhead design is utilized in the subdivision recently approved directly to the south of the Property. Review of an aerial of the immediate surrounding area of the Property (east of Fort Apache, north of Blue Diamond, south of Pebble and east of Hualapai) shows a number of streets terminating in hammerheads.

#### Architecture

The proposed 2-story homes range in livable square footage of 1,735 sf – 1,935 sf. The proposed development offers 3 floor plans. Each model features a selection of unique elevations, varying roof lines and architectural elements consisting of stucco finished wall and concrete roof tiles conforming to Title 30 require design parameters. The maximum height of the homes will be 25-ft, not exceeding the 35-ft maximum height stipulated in Title 30, Table 30.40.2 for R-2 zoning.



Retaining Walls and Increase in Grades Over 36-Inches

Pursuant to Title 30, Section 30.32.040, any request to increase the finished grade over 36-inches shall be considered by the Board through a Design Review as a public hearing. The site generally slopes in a northeasterly and easterly direction, toward the Blue Diamond Wash. Finished grades increases exceeding 36-inches to a maximum of 12.8-ft in height are utilized throughout the site as shown in the site plan and cross-sections to generally adhere to the existing grades and maintain the existing drainage patterns.

Retaining walls not exceeding 5-ft in height are only utilized on the northeast corner of the property, south of the wash and north of the lots. From a design perspective, elevating that area, maintains reasonable slopes of the lots within the general vicinity of the retaining wall.

**WAIVER OF DEVELOPMENT STANDARDS**

On behalf of the Applicant, we are respectfully requesting the following waivers:

Hillside Development

A waiver of Hillside Development is requested. The Slope Map (Appendix G of Title 30) shows that there is a contiguous area of more than 2.5 acres with slopes that accede 12%, which includes a portion of this site and parcels to the east and south. This makes the site part of a Hillside Development per Section 30.56 Part C. However, the subject area grades that appear to be hillside are primarily the side walls of the area depressed and traversing the site, the Blue Diamond Wash.

Grading in areas in excess of 12% is not disturbance of a hillside. The area south of the Blue Diamond Wash is sloped no more than 3:1 to an elevation that assures that the lots adjacent to the Blue Diamond Wash are well above the area designated as a Floodway (Zone A), pursuant to the LOMR approved in 2016.

Retaining Walls Over 3' in Height

Allow retaining walls over 3-ft in height and not exceeding 5-ft in height on the northeast corner of the property, south of Blue Diamond Wash. The area is elevated to assure maintaining lot grades well above the flows contained in the wash. Also, as noted above, the retaining walls maintain reasonable design grades of the lots and street on the east side of the Property, south of the wash.

Please do not hesitate to contact me at (702) 325-2114 if you have any questions or concerns.

Sincerely,  
**ENCORE ENGINEERING LLC**

A handwritten signature in black ink, appearing to read 'Jaimee Yoshizawa'.

Jaimee Yoshizawa, PE



06/07/22 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

PEBBLE RD/PARK ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0223-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Ford Avenue and Pebble Road, and between Park Street (alignment) and Fort Apache Road within Enterprise (description on file). JJ/al/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-18-801-011

**LAND USE PLAN:**

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

ENTERPRISE - OPEN LANDS

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a single family residential development. The northern portion of the site is impacted by a wash which is in a flood zone and there is a drainage easement that covers a majority of the lot. The applicant indicates that the Federal Emergency Management Agency (FEMA) has amended the flood zone for this portion of the wash reducing the width of the flood zone. The request is to reduce the width of the drainage easement to the size of the new flood zone. The proposed development will leave the wash undisturbed as much as possible.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for the portions of the Enterprise Planning Area which included a portion of this site	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Compact Neighborhood (up to 18 du/ac)	R-E & R-2	Single family residential & undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-2	Single family residential & undeveloped
East	Open Lands	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-E	Agriculture use (horses) & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment Area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-22-0222	A nonconforming zone change request to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
TM-22-500076	A tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff cannot support the request to vacate the entire drainage easement and instead requests that the applicant work with staff to define the exact limits of the area that can be supported. Since the proposed vacation will result in the loss of the County's prior rights to the vacated area, staff recommends denial.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 22, 2022 at 9:00 a.m. unless otherwise announced.

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



**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 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**

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet to 40 feet for Pebble Road;
- Any area needed for drainage purposes shall be dedicated in fee to Clark County Public Works;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ENCORE INVESTMENTS LLC

**CONTACT:** ENCORE ENGINEERING LLC, 7272 S. EL CAPITAN WAY, STE 2, LAS VEGAS, NV 89148





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0223</u> DATE FILED: <u>4-11-22</u>
		PLANNER ASSIGNED: <u>BT</u> TAB/CAC: <u>Entupric</u> TAB/CAC DATE: <u>5-11-22</u> PC MEETING DATE: <u>6-7-22</u> BCC MEETING DATE: <u>7-6-22 (6-22-22)</u> FEE: <u>875<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>Spacefinders Realty Inc.</u>
	ADDRESS: <u>3535 Executive Terminal Dr, #300</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

<b>APPLICANT</b>	NAME: <u>Encore Investments LLC</u>
	ADDRESS: <u>7272 S El Capitan Way, #2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100</u>
	E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>

<b>CORRESPONDENT</b>	NAME: <u>Encore Investments LLC</u>
	ADDRESS: <u>7272 S El Capitan Way, #2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100</u>
	E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>

ASSESSOR'S PARCEL NUMBER(S): 176-18-801-011

PROPERTY ADDRESS and/or CROSS STREETS: Park Street and W 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.

[Signature]

Property Owner (Signature)\*

STATE OF NEVADA  
COUNTY OF Clark

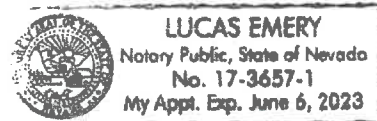
SUBSCRIBED AND SWORN BEFORE ME ON August 6, 2021 (DATE)

By ELIOT A. ALPER

NOTARY PUBLIC: [Signature]

ELIOT A. ALPER, PRESIDENT

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.

APR-21-101276



**7272 S El Capitan Way Las Vegas NV 89148  
Tel (702)579-3301 Fax (702)579-3358**

November 27, 2021

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 551744  
Las Vegas, Nevada 89155-1744

**RE: Project Description and Compelling Justification for the Vacation of the Existing Clark County Flood Control Right-of-Way (APN: 176-18-801-011)**

Dear Sir or Madam:

On behalf of Encore Investments LLC (“Applicant”), we respectfully request a Vacation of an existing Clark County (“CC”) Flood Control Right-of-Way (“ROW”) pursuant to Title 30, Section 30.16 of the CC Development Code for Park and Pebble, a proposed 32 lot single family residential subdivision.

#### **PROJECT DESCRIPTION**

The subject property encompasses approximately 10.48 acres and is generally located at the northeast corner of the intersection of Park Street and W Pebble Road, more specifically described as APN: 176-18-801-011, in the unincorporated Clark County, Nevada (the “Property”). Portions of an existing CC Flood Control ROW are proposed to be vacated to accommodate a 32 lot single family residential subdivision.

#### **VACATION**

Pursuant to Title 30, Section 30.16.140, the standard for approval of a Vacation, “...**determine that there is no present nor future public need for the area proposed to be vacated, and that the public will not be materially injured by the proposed vacation.**”

The area of the existing Clark County Flood Control ROW proposed to be vacated is consistent Federal Emergency Management Agency (“FEMA”) Letter of Map Revision (“LOMR”) Case No.: 15-09-1539P, dated February 11, 2016. The LOMR generally revised Blue Diamond Wash from approximately 3,200 feet upstream of South Fort Apache Road to approximately 280 feet downstream of South Fort Apache Road, removing the northern and southern of the portions of the existing ROW from Zone A, described as subject to inundation by the 1% annual chance flood with no base flood elevations determined. The balance of the site is located within Zone X (unshaded) which is described as areas determined to be outside of the 0.2% annual chance flood plain.

Clark County Comprehensive Planning  
November 27, 2021



Page 2

The portions of the existing CC Flood Control ROW that are no longer within Zone A and not designated areas of flood risk and can be safely vacated. The proposed improvements to do not incur within the mapped flood plain.

Please do not hesitate to contact me at (702) 325-2114 if you have any questions or concerns.

Sincerely,  
**ENCORE ENGINEERING LLC**

Jaimee Yoshizawa, PE



06/07/22 PC AGENDA SHEET

PARK AND PEBBLE  
(TITLE 30)

PEBBLE RD/PARK ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-22-500076-SPACEFINDERS REALTY INC & ELIOT HOLDINGS LLC:**

**TENTATIVE MAP** consisting of 32 single family residential lots and common lots on 10.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Pebble Road and the east side of Park Street (alignment) within Enterprise. JJ/al/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-18-801-011

**LAND USE PLAN:**

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

ENTERPRISE - OPEN LANDS

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 10.5
- Number of Lots: 32 residential lots/2 common elements
- Density (du/ac): 3.0
- Minimum/Maximum Lot Size (square feet): 3,264/6,381
- Project Type: Single family residential development

**Site Plan**

The plan depicts a single family residential development consisting of 32 lots on approximately 10.5 acres with a density of 3 dwelling units per acre. The northern approximately 5.5 acres of this site is impacted by a wash and will be left undistributed as much as possible. Only the area south of the wash will be developed which is approximately 5 acres and the density for just this portion of the site is approximately 6.4 dwelling units per acre. Access will be provided to the site by 2 proposed streets that intersect with Pebble Road, no lots within the development will take access from Pebble Road. Access within the development will be provided by a 49 foot wide public street which will have sidewalks on both sides of the street. The plans show 1 street which terminates in a hammerhead, all other streets within the development are stub streets. The proposed hammerhead is located on the western portion of the site and will provide access to 2 lots.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Established an RNP-I Overlay District for the portions of the Enterprise Planning Area which included a portion of this site	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-E & R-2	Single family residential & undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-2	Single family residential & undeveloped
East	Open Lands	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	R-E (RNP-I) & R-E	Agriculture use (horses) & undeveloped

This site and the surrounding area are located within the Public Facilities Needs Assessment Area.

**Related Applications**

Application Number	Request
NZC-22-0222	A nonconforming zone change request to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
VS-22-0223	A request to vacate and abandon a flood control easement is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30; however, since staff does not support the zone change necessary to allow for the proposed development, staff cannot support the tentative map;

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 22, 2022, at 9:00 a.m., unless otherwise announced.

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



**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 40 feet for Pebble Road.
- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

**Current Planning Division - Addressing**

- Streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided;
- Blazer Court and Blazer Avenue are on the same alignment and shall have the same name and suffix.

**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 #0162-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ENCORE INVESTMENTS LLC

**CONTACT:** ENCORE ENGINEERING LLC, 7272 S. EL CAPITAN WAY, STE 2, LAS VEGAS, NV 89148





# TENTATIVE MAP APPLICATION 8A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500076</u> DATE FILED: <u>4-11-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Entupru</u> TAB/CAC DATE: <u>5-11-22</u> PC MEETING DATE: <u>6-7-22</u> BCC MEETING DATE: <u>7-6-22 (6-22-22)</u> FEE: <u>750<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>Spacefinders Realty Inc.</u> ADDRESS: <u>3535 Executive Terminal Dr, #300</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
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<b>APPLICANT</b>	NAME: <u>Encore Investments LLC</u> ADDRESS: <u>7272 S El Capitan Way, #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100 or (702) 528-1120</u> E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>
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<b>CORRESPONDENT</b>	NAME: <u>Encore Investments LLC</u> ADDRESS: <u>7272 S El Capitan Way, #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 579-3301</u> CELL: <u>(702) 528-1100 or (702) 528-1120</u> E-MAIL: <u>randelsr@encorecre.com and erica@encorecre.com</u> REF CONTACT ID #: <u>N/A</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-18-801-011

PROPERTY ADDRESS and/or CROSS STREETS: Park Street and W Pebble Road

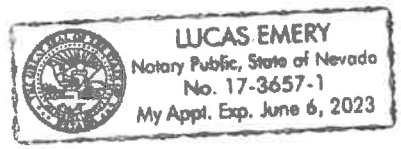
TENTATIVE MAP NAME: Park and Pebble

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

\_\_\_\_\_      Eliot A. Alper PRESIDENT  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 6, 2021 (DATE)  
 By Eliot A. Alper  
 NOTARY PUBLIC: \_\_\_\_\_



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

APR 22-100159



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

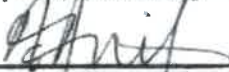
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) (ORIGINAL APPLICATION #)  <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-22-0193</u> DATE FILED: <u>4/4/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/08/22</u> FEE: <u>675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>SA-CAC-DM LLC</u> ADDRESS: <u>6725 S. Eastern Avenue #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u> E-MAIL: <u>asif@activecre.com</u>
	<b>APPLICANT</b>  NAME: <u>Active Commercial Realty</u> ADDRESS: <u>6725 S. Eastern Avenue #2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u> E-MAIL: <u>asif@activecre.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Mark Whitehouse</u> ADDRESS: <u>820 S. Wigwam Parkway # 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-336-3336</u> CELL: <u>702-336-3336</u> E-MAIL: <u>mwhitehouse@highimpact</u> REF CONTACT ID #: _____

**ASSESSOR'S PARCEL NUMBER(S):** 177-294-10-004

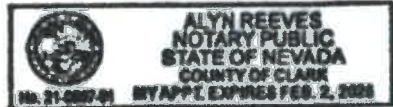
**PROPERTY ADDRESS and/or CROSS STREETS:** 3340 W Cactus Avenue, Las Vegas NV 89141

**PROJECT DESCRIPTION:** Required Sign Design Review for Public Hearing per conditions on land use.

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

  
 Property Owner (Signature)  
Abdus Asif  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 1-20-22 (DATE)  
 BY Alyn Reeves  
 NOTARY PUBLIC: \_\_\_\_\_



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



PLANNER  
COPY

DR-22-0193

Date: January 26, 2022  
To: Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas NV 89155  
Applicant: Sun Auto Service  
Contact: Mark Whitehouse, High Impact Sign & Design  
Re: Design Review for Public Hearing

To whom it may concern.

We respectfully request the approval of a design review for the sign package for an already approved automobile repair service shop project, Sun Auto Center, located at 3340 West Cactus Rd. Las Vegas NV 89139. The signage is compliant with title 30.72 and there are no waivers being requested.

There are two (2) signs that will be installed, each sign will be 126 square feet each for a total of 252 square feet. We are requesting no waivers at this time.

In closing the signage is consistent with what is in the surrounding area, and it will not negatively affect the surrounding neighborhood.

We thank you in advance for your consideration of this request.

Regards,  
Mark Whitehouse  
(702) 336-3336

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820 Wigwam Parkway, Ste 100  
Henderson, NV 89014  
(702) 736-7446 office  
(702) 644-0678 fax  
[www.highimpactsign.com](http://www.highimpactsign.com)



06/07/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

DEAN MARTIN DR/AGATE AVE

**PUBLIC HEARING**

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

**NZC-22-0229-PY PROPERTIES LLC & MTG LIVING TRUST:**

**ZONE CHANGE** to reclassify 8.6 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; **2)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); **3)** alternative landscaping along Dean Martin Drive; and **4)** eliminate landscaping against a freeway.

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

Generally located on the east side of Dean Martin Drive approximately 215 feet south of Raven Avenue. within Enterprise (description on file). JJ/jvm/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

177-20-104-010; 177-20-104-012; 177-20-104-013; 177-20-104-015; 177-20-204-001; 177-20-204-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase wall height to 12 feet (6 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is the maximum per Section 30.64.050 (a 33% increase).
2. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Dean Martin Drive where required per Section 30.52.050.
3. Permit alternative landscaping along street frontages with no sidewalks (Dean Martin Drive), where a 15 foot wide landscape area with a detached sidewalk is required along arterial and collector streets per Figure 30.64-17.
4. Eliminate landscaping adjacent to a freeway where landscaping per Figure 30.64-4 is required.

**DESIGN REVIEWS:**

1. Single family residential.
2. Increase finished grade to 7 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 133% increase).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

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

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

- Site Acreage: 8.6
- Number of Lots/Units: 46
- Density (du/ac): 5.4
- Minimum/Maximum Lot Size (square feet): 3,500/7,855
- Project Type: Single family residential
- Number of Stories: 1 & 2
- Building Height (feet): up to 26
- Square Feet: up to 3,066

**Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on March 8, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of this project site were notified about the meeting. There were 21 attendees present at the meeting. The attendees had concerns about homelessness, traffic, noise, and density. Others voiced their support for the project.

**Site Plans**

The plans depict a proposed single family residential development on the east side of Dean Martin Drive, between Raven Avenue and Vicki Avenue. The overall lot count is for 46 lots on approximately 8.6 acres. Essentially, there are 2 separate subdivisions within the overall site that are divided by a large wash. On the north side of the wash there are 29 lots ranging in size from 3,500 square feet to 6,459 square feet. Access will be provided by one, 42 foot wide driveway from Dean Martin Drive, and all lots will be serviced from 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the private street.

The subdivision on the south side of the wash will be accessed through a previously approved subdivision to the south and east of this proposed development. It is comprised of 17 lots ranging in size from 4,815 square feet to 7,855 square feet. All lots will be serviced from 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the private street.

**Landscaping**

A 10 foot wide landscape planter with no sidewalk is proposed along Dean Martin Drive. Within this planter will be 24 inch box trees and 15 gallon trees spaced approximately 35 feet on center, also included will be the appropriate shrubs and groundcover. No other landscaping is depicted.



### Elevations

The subdivisions will be composed of both 1 and 2 story homes. They will range in height from 16 feet (1 story) to 26 feet (2 story). Construction materials will consist of stucco exteriors and tile roofs with building pop-outs, stone veneer, and architectural enhancements around windows and doors.

### Floor Plans

The floor plans depict homes ranging in size from 1,550 square feet to 3,066 square feet with various rooms depicted for homes of this type.

### Applicant's Justification

The applicant states that the increase in wall height is needed because of the increase in grade within the site. Also, the request to waive full off-sites is in keeping with the existing development surrounding Dean Martin Drive. In addition, the request for alternative landscaping along Dean Martin Drive is in keeping with the request for rural street standards. Lastly, the request to eliminate landscaping along I-15 is in keeping with other developments in the area.

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0660	Reclassified 5.7 acres to M-D zoning for an office/warehouse	Denied by BCC	December 2018
ZC-0336-09 (ET-0133-13)	First extension of time to reclassify 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	February 2014
ZC-0336-09	Reclassified 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	June 2009

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E	Undeveloped
South	Low Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Single family residential & undeveloped
East	Entertainment Mixed-Use	H-2 & R-3	I-15, single family residential, & multiple family residential
West	Ranch Estate Residential (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

### Related Applications

Application Number	Request
VS-22-0233	A request to vacate and abandon easements of interest to Clark County is a companion item on this agenda.
TM-22-500079	A tentative map consisting of 46 single family residential lots on 8.6 acres is a companion item on this agenda.
ZC-22-0240	A zone change request to reclassify 5.7 acres to M-D zoning is a related item on the June 22, 2022 Board of County Commissioner's agenda.

## STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

##### Zone Change

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

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

The applicant states that the current trend is the need for additional single family residential development in this area and in the Las Vegas Valley in general. The demand for single family residential housing continues to remain high while the supply remains very limited as indicated by the continual increase in home values and cost and the short timeframes that homes remain available in the open market. This trend fuels the need for residential development at higher densities than previously planned to meet the demands. In this instance, the proposed project is sandwiched between Dean Martin Drive (80 foot right-of-way) and I-15. The proposed R-2 zoning to allow residential development is appropriate for the property. The Dean Martin/Agate subdivision has been approved to the south and east for single family residential with similar R-2 zoning at slightly higher density.

Staff agrees with the applicant that the need for additional single family development throughout the Las Vegas Valley is in high demand. In addition, the properties to the south and east have recently been approved for single family development at similar densities to this project.

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

The applicant states that this is an add-on project to the previously approved Dean Martin/Agate project located directly south and east. The site is presently master planned as Business Employment (BE) and Low-intensity Suburban Neighborhood (LN). The properties to the north are developed under a planned land use of LN and BE. The properties to the east and south are approved for a residential subdivision under R-2 zoning at a similar density to this project. Properties to the west across Dean Martin Drive are planned as Ranch Estate Neighborhood (RN) and zoned R-E. As this project is sandwiched between Dean Martin Drive (an 80 foot wide roadway) and I-15, it serves as a buffer between the RNP neighborhood to the west and I-15 (which carries approximately 140,000 vehicles per day). The proposed R-2 zoning is compatible with the BE land use to the north and will create the buffer for the RNP area west of Dean Martin Drive.

Staff agrees with the applicants statement that a portion of this project is an add-on to the previously approved subdivision to the south and east. Staff also agrees that this project can act as a buffer between I-15 and the rural neighborhood on the west side of Dean Martin Drive.

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

The site is bordered by Dean Martin Drive on the west (planned 80 foot right-of-way) and Serene Avenue on the south (planned 80 foot right-of-way) with access proposed on Dean Martin Drive. Adequate access and circulation are provided by the public streets. The proposed project will not have a substantial adverse effect to the area roadways, Fire and Police facilities, parks, and area utilities. According to CCSD, the area schools are at or over capacity, however, the project is not anticipated to cause a substantial adverse effect. Stormwater management will be in accordance with Clark County Flood Control standards and will not adversely affect adjacent properties.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. Sufficient public services may not exist in the immediate area and because the site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities.

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

The proposed project complies with the policies of the Mater Plan and the Enterprise Land Use Plan:

- Provide housing alternatives to meet a range of lifestyle choices, ages, and affordability Levels (Land Use Goal #7).
- Site plan designs should be required to provide the maximum feasible protection to people and land uses sensitive to air pollution through the use of buffer zones such as barriers and/or distance from emissions sources. (Community Design Policy #7 by use of sound wall along I-15 to mitigate traffic noise.)

Staff agrees with the applicant's summation of the goals and policies.

#### **Summary Zone Change**

Staff finds that the proposed subdivision will provide a buffer between the high traffic volume of I-15 and the rural density housing on the west side of Dean Martin Drive. In addition, another R-2 subdivision was recently approved to the south and east of this proposal, making this proposed subdivision compatible with adjacent approvals. Therefore, staff can support the proposed nonconforming zone boundary amendment to R-2 zoning.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff finds the topography of the project site warrants an increase to the retaining wall height proposed for the development. The greatest increase to the combined screen wall/retaining wall height is up to 14 feet, occurring along the east boundary of the project site adjacent to I-15. The increase to the wall height should have minimal impact on the surrounding residential development. Therefore, staff can support this request.

#### Waiver of Development Standards #3

The intent of the detached sidewalk requirement is to ensure a proper buffer exists between the sidewalk and the adjacent arterial (Dean Martin Drive). Although there are no detached sidewalks within the immediate area, staff finds eliminating the detached sidewalk requirement along the public right-of-way contradicts Urban Specific Policy 11, which states that all developments outside of rural areas should provide sidewalks on both sides of any public street. Staff is also concerned that the lack of public sidewalks will create a vehicular/pedestrian conflict as pedestrians will have no choice but to walk within the right-of-way. The request for alternative landscaping, consisting of a 10 foot wide landscape area along Dean Martin Drive, is a self-imposed burden; therefore, staff cannot support this request.

#### Waiver of Development Standards #4

The intent of landscaping adjacent to a freeway buffer wall is to break-up the monotony of the solid wall adjacent to a single family residential development. The waiver request should have minimal to no impact on the surrounding land uses, with the exception of the residential lots interior to the project site. Therefore, staff can support this request.

#### Design Review #1

The density and intensity of the proposed project are compatible with the existing developments to the east and south. In addition, this subdivision will provide a buffer between two rural neighborhoods to the west and I-15. Therefore, staff can support the design review.

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

#### Waiver of Development Standards #2

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

### Design Review #2

This design review represents the maximum grade difference 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 of the zone change, waivers of development standards #1 and #4, and design reviews #1 and #2; and denial of waivers of development standards #2 and #3. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 22, 2022 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to coordinate a contribution with Public Works for improvements on Dean Martin Drive.
- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

**Department of Aviation**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0653-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:****APPROVALS:****PROTESTS:****APPLICANT:** KB HOME LAS VEGAS**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST, STE 200, LAS VEGAS, NV. 89119



# LAND USE APPLICATION 9A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p><input type="checkbox"/> CONFORMING (ZC)</p> <p><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input 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>	<b>STAFF</b>	<p style="text-align: center; font-size: 1.2em;">N2C/WS/DR-22-0229</p> <p>APP. NUMBER: _____ DATE FILED: <u>4-12-2022</u></p> <p>PLANNER ASSIGNED: <u>JM</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-10-2022</u></p> <p>PC MEETING DATE: <u>6-7-2022</u></p> <p>BCC MEETING DATE: <u>7-6-2022</u> actual = <u>6-22-2022</u></p> <p>FEE: <u>3477.5</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>John Albert</u></p> <p>ADDRESS: <u>83 Pittenger Pond Rd</u></p> <p>CITY: <u>FREEHOLD</u> STATE: <u>NJ</u> ZIP: <u>07728</u></p> <p>TELEPHONE: <u>(518) 441-6621</u> CELL: _____</p> <p>E-MAIL: <u>JOHNALBERT528@aol.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>KB Home Las Vegas</u></p> <p>ADDRESS: <u>5795 W. Badura Ave. Suite 180</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-286-8512</u> CELL: <u>702-487-4038</u></p> <p>E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u></p> <p>ADDRESS: <u>7080 La Cienega St. #200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-932-6125</u> CELL: <u>702-338-4071</u></p> <p>E-MAIL: <u>smacias@tce-tv.com</u> REF CONTACT ID #: <u>170761</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-20-204-001, 002

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Agate

PROJECT DESCRIPTION: Non Conforming Zone Change from R-E to R-2

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

[Signature] Property Owner (Signature)\*      JOHN ALBERT Property Owner (Print)

STATE OF New Jersey  
 COUNTY OF MORRIS

SUBSCRIBED AND SWORN BEFORE ME ON 12/21/2021 (DATE)

by Emily A. Rorke  
 NOTARY PUBLIC: Emily A. Rorke

**EMILY A. RORKE**  
 Notary Public  
 State of New Jersey  
 My commission expires March 17, 2025

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

February 4, 2022

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

NZC.22 0229

PLANNER  
COPY

**Re: Dean Martin/Agate North  
Non-Conforming Zone Change  
APN# 177-20-104-010, 012, 013, 015 and 177-20-204-001, 002, PTN 003**

On behalf of KB Home, we respectfully request your approval of a non-conforming Zone Change in support of the Dean Martin/Agate North single family detached residential project.

The project proposes a 46 lot single family detached residential development on approximately 8.55 acres at a density of 5.38 dwelling units per acre within the Enterprise Land Use planning area.

**Location:** The proposed project is located at the northeast and southeast corner of Dean Martin Drive and Agate Avenue Section 20, Township 22 South, Range 61 East. The project site consists of vacant, undeveloped land and several existing single family custom homes that will be removed with this project. Access to the site is proposed from Dean Martin Drive.

**Non-Conforming Zone Change Compelling Justification**

The non-conforming zone change is justified as discussed below:

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 current trend is the need for additional single family residential development in this area and in the Las Vegas valley in general. The demand for single family residential housing continues to remain high while the supply remains very limited as indicated by the continual increase in home values and cost and the short time frames that homes remain on available in the open market. This trend fuels the need for residential development at higher densities than previously planned to meet the demands. In this instance, the proposed project is sandwiched between Dean Martin Road (80' right-of-way) and Interstate 15. The proposed R-2 zoning to allow residential development is appropriate for the property. The 'Dean Martin/Agate' subdivision has been approved to the south and east for single family residential with similar R-2 zoning at slightly higher density.

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:*

This is an add-on project to the previously approved 'Dean Martin/Agate' project located directly south and east. The site is presently master planned as Business Employment (BE) and Low-intensity Suburban Neighborhood (LN). The properties to the north are developed under a planned land use of LN and BE.



The property to the east and south are approved for a residential subdivision under R-2 zoning at a similar density to this project. Properties to the west across Dean Martin Drive planned as Ranch Estates Neighborhood (RN) and zoned R-E. As this project is sandwiched between Dean Martin Drive (an 80' wide roadway) and Interstate 15, it serves as a buffer between the RNP neighborhood to the west and Interstate 15 (which carries approximately 140,000 vehicles per day). The proposed R-2 zoning is compatible with the BE land use to the north and will create the buffer for the RNP area west of Dean Martin Drive.

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

The site is bordered by Dean Martin Drive on the west (planned 80' r/w) and Serene Avenue on the south (planned 80' r/w) with access proposed on Dean Martin Drive. Adequate access and circulation is provided by the public streets. The proposed project will not have a substantial adverse effect to the area roadways, Fire and Police facilities, parks, and area utilities. According to CCSD, the area schools are at or over capacity, however, the project is not anticipated to cause a substantial adverse effect. Stormwater management will be in accordance with Clark County Flood Control standards and will not adversely affect adjacent properties.

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

The proposed project complies with the policies of the Comprehensive Plan and the Enterprise Land Use Plan:

- *Provide housing alternatives to meet a range of lifestyle choices, ages, and affordability Levels (Land Use Goal #7).*
- *Site plan designs should be required to provide the maximum feasible protection to people and land uses sensitive to air pollution through the use of buffer zones such as barriers and /or distance from emissions sources. (Community Design Policy #7 by use of sound wall along I-15 to mitigate traffic noise.)*

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

Thomason Consulting Engineers

Sonia Macias

Digitally signed by Sonia  
Macias  
DN: c=US,  
E=smacias@tce-nv.com,  
O=TCE, CN=Sonia Macias  
Date: 2022.02.17  
10:46:56-0800'

Sonia Macias  
Project Coordinator

PLANNER  
COPY



06/07/22 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

DEAN MARTIN DR/RAVEN AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-22-0233-PY PROPERTIES LLC & MTG LIVING TRUST:**

**VACATE AND ABANDON** easements of interest to Clark County located between Dean Martin Drive and I-15 and between Raven Avenue and the Vicki Avenue (alignment) within Enterprise (description on file). JJ/jvm/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

177-20-104-010; 177-20-104-012; 177-20-104-013; 177-20-104-015; 177-20-204-001; 177-20-204-002

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

This request is to vacate and abandon 3 foot and 33 foot wide government patent easements. The 3 foot wide easements are located on the north and south sides of Agate Avenue. The 33 foot wide easements are located on the east side of APNs 177-20-204-001, 177-20-204-002, 177-20-104-010, 177-20-104-012, and 177-20-104-013. In addition, there are 33 foot wide easements on the east, west, and south sides of APN 177-20-104-015. These easements are no longer needed in order to develop the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0660	Reclassified 5.7 acres to M-D zoning for an office/warehouse	Denied by BCC	December 2018
ZC-0336-09 (ET-0133-13)	First extension of time to reclassify 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	February 2014
ZC-0336-09	Reclassified 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	June 2009

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E	Undeveloped
South	Low Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Single family residential & undeveloped
East	Entertainment Mixed-Use	H-2 & R-3	I-15, single family residential & multiple family residential
West	Ranch Estate Residential (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

### Related Applications

Application Number	Request
NZC-22-0229	A nonconforming zone change to reclassify 8.6 acres to R-2 zoning for a 46 lot single family residential subdivision is a companion item on this agenda.
TM-22-500079	A tentative map consisting of 46 single family residential lots on 8.6 acres is a companion item on this agenda.
ZC-22-0240	A zone change request to reclassify 5.7 acres to M-D zoning is a related item on the June 22, 2022 Board of County Commissioner's 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 22, 2022 at 9:00 a.m., unless otherwise announced.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

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

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

**Public Works - Development Review**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KB HOME LAS VEGAS

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST, STE 200,  
LAS VEGAS, NV 89119





# VACATION APPLICATION 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0233</u>	DATE FILED: <u>4-13-2022</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>JM</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>6-7-2022</u> BCC MEETING DATE: <u>7-6-2022</u> FEE: <u>#875</u>	TAB/CAC DATE: <u>5-10-2022</u>  <u>6-22-2022</u> actual BCC

<b>PROPERTY OWNER</b>	NAME: <u>John Albert</u> ADDRESS: <u>83 Pittenger Pond Rd</u> CITY: <u>FREEHOLD</u> STATE: <u>NJ</u> ZIP: <u>07728</u> TELEPHONE: <u>(518) 441-6621</u> CELL: _____ E-MAIL: <u>JOHNALBERT528@aol.com</u>
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<b>APPLICANT</b>	NAME: <u>KB Home Las Vegas</u> ADDRESS: <u>5795 W. Badura Ave. Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8512</u> CELL: <u>702-467-4038</u> E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-20-204-001, 002

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Agate

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

<p><u>[Signature]</u>          Property Owner (Signature)*          STATE OF RESIDENCE: <u>New Jersey</u>          COUNTY OF: <u>Monmouth</u>          SUBSCRIBED AND SWORN BEFORE ME ON: <u>12-21-2021</u> (DATE)          By: <u>Emily Rorke</u>          NOTARY PUBLIC: <u>Emily A Rorke</u></p>	<p><u>JOHN ALBERT</u>          Property Owner (Print)   <b>EMILY A. RORKE</b>          Notary Public          State of New Jersey          My commission expires March 17, 2025</p>
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\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

<b>PROPERTY OWNER</b>	NAME: <u>PY Properties LLC and MTG Living Trust</u> ADDRESS: <u>621 Via Linda Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: _____ CELL: <u>702-460-2559</u> E-MAIL: <u>paigecyahraus@gmail.com</u>
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<b>APPLICANT</b>	NAME: <u>KB Home Las Vegas</u> ADDRESS: <u>5795 W. Badura Ave. Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8512</u> CELL: <u>702-467-4038</u> E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-20-104-010, 012, 013, 015

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Agate

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

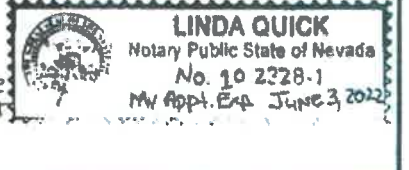
Paige Yahraus, Manager      Mark Gross, Trustee  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NEVADA      CLARK

SUBSCRIBED AND SWORN BEFORE ME ON Dec. 13, 2021 (DATE)

By Paige Yahraus, Mgr. of PY Properties LLC and Mark Gross, Trustee OF MTG LIVING TRUST

NOTARY PUBLIC: Linda Quick



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





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

<b>PROPERTY OWNER</b>	NAME: <u>KB Home Las Vegas Inc.</u>
	ADDRESS: <u>5795 W. Badura Ave. Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 266-8466</u> CELL: _____
	E-MAIL: <u>cbilbrey@kbhome.com</u>

<b>APPLICANT</b>	NAME: <u>KB Home Las Vegas Inc.</u>
	ADDRESS: <u>5795 W. Badura Ave. Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 266-8466</u> CELL: <u>(702) 449-5131</u>
	E-MAIL: <u>cbilbrey@kbhome.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u>
	ADDRESS: <u>7080 La Cienega St. #200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 932-6125</u> CELL: <u>(702) 336-4071</u>
	E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: _____

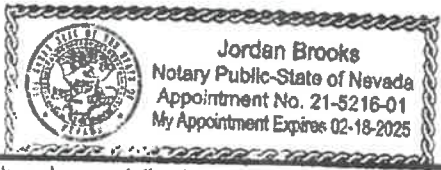
ASSESSOR'S PARCEL NUMBER(S): 177-20-204-003

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Agate

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

Brian Kunec  
 \_\_\_\_\_  
 Property Owner (Signature)\*  
 STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON February 22, 2022 (DATE)  
 By Brian Kunec  
 NOTARY PUBLIC: [Signature]

Brian Kunec  
 \_\_\_\_\_  
 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.

T  THOMASON  
C  CONSULTING  
E  ENGINEERS

February 9, 2022

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

**Re: Dean Martin/Agate North  
Vacation of Patent of Easements  
APN# 177-20-104-010, 012, 013, 015 and 177-20-204-001, 002**


On behalf of KB Home Las Vegas, we respectfully request your approval of the vacation of patent easement.

**Location:** The proposed project is located at corner of Dean Martin Drive and Agate Avenue Section 20, Township 22 South, Range 61 East. The project site consists of six parcels of which four are vacant and undeveloped and two are developed with existing single family custom homes that will be removed with this project. Access to the northern portion of the project is provided by Dean Martin Drive while the southern portion is accessed through the private streets proposed with the KB Home 'Dean Martin/Agate' subdivision to the south and east.

**Justification:** This vacation is submitted as a companion item in support of the proposed subdivision located on the south side of Dean Martin Drive and Agate Avenue. We are requesting the vacation of the existing 33' patent easements as they are un-needed as the primary access is taken off of Dean Martin Drive.

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

  
Sonia Macias  
Project Coordinator

PLANNER  
COPY

06/07/22 PC AGENDA SHEET

DEAN MARTIN/AGATE NORTH  
(TITLE 30)

DEAN MARTIN DR/RAVEN AVE

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-22-500079-PY PROPERTIES LLC & MTG LIVING TRUST:**

**TENTATIVE MAP** consisting of 46 single family residential lots and common lots on 8.6 acres in a R-2 (Medium Density Residential) Zone.

Generally located on the east side of Dean Martin Drive approximately 215 feet south of Raven Avenue, within Enterprise (description on file). JJ/jvm/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-20-104-010; 177-20-104-012; 177-20-104-013; 177-20-104-015; 177-20-204-001; 177-20-204-002

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 8.6
- Number of Lots/Units: 46
- Density (du/ac): 5.4
- Minimum/Maximum Lot Size (square feet): 3,500/7,855
- Project Type: Single family residential

The plans depict a proposed single family residential development on the east side of Dean Martin Drive, between Raven Avenue and Vicki Avenue. The overall lot count is for 46 lots on approximately 8.6 acres. Essentially, there are 2 separate subdivisions within the overall site that are divided by a large wash. On the north side of the wash there are 29 lots ranging in size from 3,500 square feet to 6,459 square feet. Access will be provided by one, 42 foot wide driveway from Dean Martin Drive and all lots will be serviced from 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the private street.

The subdivision on the south side of the wash will be accessed through a previously approved subdivision to the south and east of this proposed development. It is comprised of 17 lots ranging in size from 4,815 square feet to 7,855 square feet. All lots will be serviced from 42 foot wide private streets with a 4 foot wide sidewalk on 1 side of the private street.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0660	Reclassified 5.7 acres to M-D zoning for an office/warehouse	Denied by BCC	December 2018
ZC-0336-09 (ET-0133-13)	First extension of time to reclassify 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	February 2014
ZC-0336-09	Reclassified 7.7 acres to C-2 zoning for a hotel and shopping center - expired	Approved by BCC	June 2009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E	Undeveloped
South	Low Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Single family residential & undeveloped
East	Entertainment Mixed-Use	H-2 & R-3	I-15, single family residential & multiple family residential
West	Ranch Estate Residential (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

**Related Applications**

Application Number	Request
NZC-22-0229	A nonconforming zone change to reclassify 8.6 acres from an R-E to an R-2 zone for a 46 lot single family subdivision is a companion item on this agenda.
VS-22-0233	A request to vacate and abandon easements of interest to Clark County is a companion item on this agenda.
ZC-22-0240	A zone change request to reclassify 5.7 acres to M-D zoning is a related item on the June 22, 2022 Board of County Commissioner's agenda.

**STANDARDS FOR APPROVAL:**

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

**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:**

### **Current Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to coordinate a contribution with Public Works for improvements on Dean Martin Drive.
- 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 this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA).

### **Current Planning Division - Addressing**

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

### **Department of Aviation**

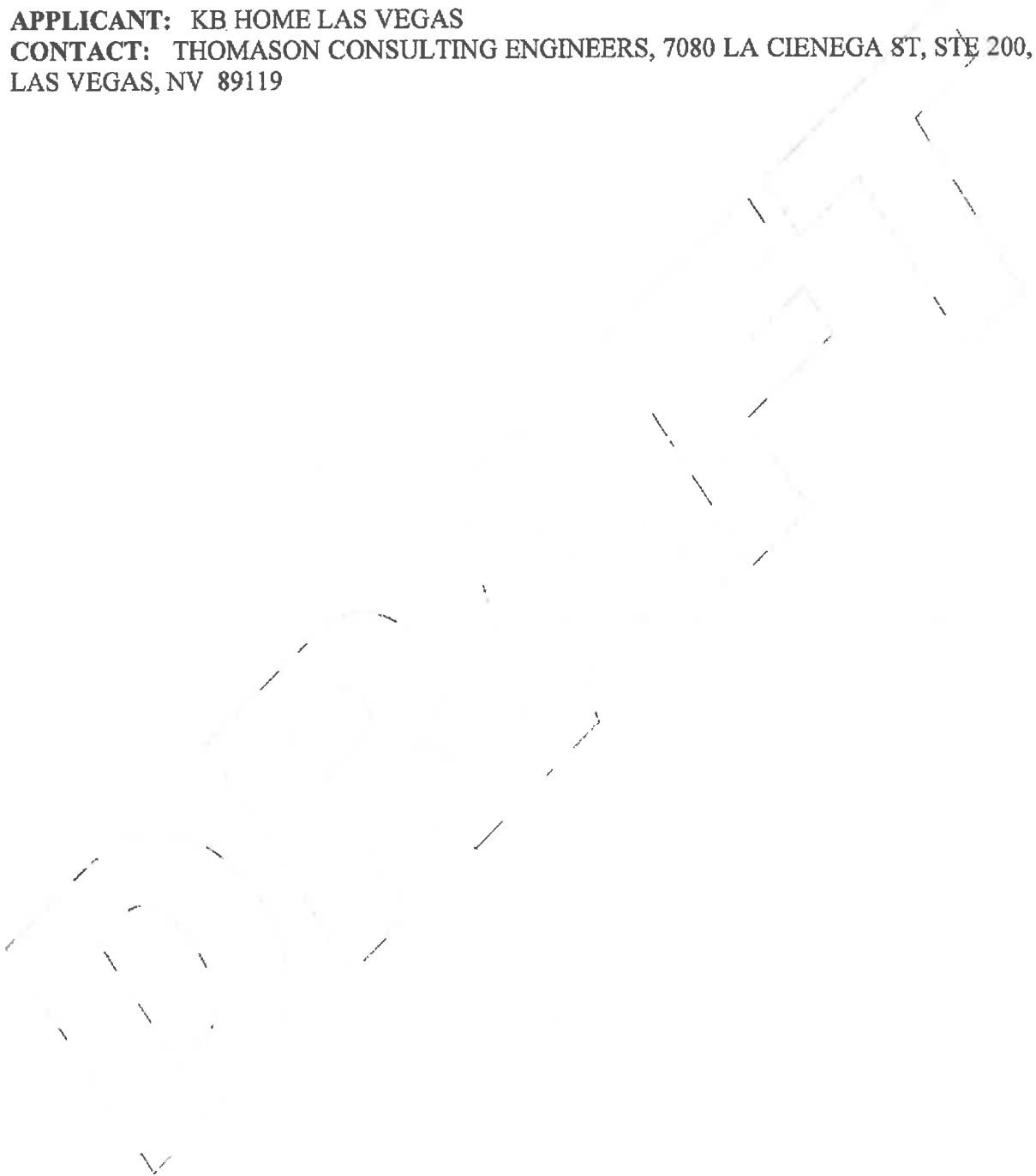
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0653-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** KB HOME LAS VEGAS  
**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST, STE 200,  
LAS VEGAS, NV 89119





# TENTATIVE MAP APPLICATION 11A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500079</u> DATE FILED: <u>4-13-2022</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JM</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-10-2022</u> PC MEETING DATE: <u>6-7-2022</u> BCC MEETING DATE: <u>7-6-2022</u> → <u>6-22-2022 actual</u> FEE: <u>\$750</u>

<b>PROPERTY OWNER</b>	NAME: <u>PY Properties LLC and MTG Living Trust</u> ADDRESS: <u>621 Via Linda Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: _____      CELL: <u>702-460-2559</u> E-MAIL: <u>paigecyahraus@gmail.com</u>
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<b>APPLICANT</b>	NAME: <u>KB Home Las Vegas</u> ADDRESS: <u>5795 W. Badura Ave. Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8512</u> CELL: <u>702-467-4038</u> E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ Thomason Consulting Engineers</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-20-104-010, 012, 013, 015

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Agate

TENTATIVE MAP NAME: Dean Martin Agate

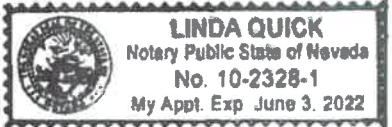
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

 Trustee Manager Property Owner (Signature)*	 Mark Gross, TRUSTEE PY Properties, LLC Property Owner (Print)
-------------------------------------------------------	-------------------------------------------------------------------------

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON Dec. 13, 2021 (DATE)  
By Paige Yahraus, Mgr. of PY Properties, LLC AND MARK GROSS, Trustee of MTG Living Trust.

NOTARY PUBLIC:



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





06/07/22 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0210-ZSKMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS, ET AL:**

**VACATE AND ABANDON** easements of interest to Clark County located between Silverado Ranch Boulevard and Landberg Avenue (alignment), and between Decatur Boulevard and Arville Street; and a portion of a right-of-way being Silverado Ranch Boulevard located between Decatur Boulevard and Arville Street within Enterprise (description on file). JJ/gc/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

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

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide government patent easements along the east, west, and south boundaries of APN 177-30-104-002. Additionally, the plans depict the vacation and abandonment of a 5 foot wide portion of right-of-way being Silverado Ranch Boulevard that also includes a “resolution relative to acquisition of rights-of-way”. The applicant states that the government patent easements are no longer necessary since the site is being developed into a commercial subdivision. Furthermore, the applicant states that the vacation and abandonment of the 5 foot wide portion of right-of-way and “resolution relative to acquisition of rights-of-way” are needed to allow for a detached sidewalk along Silverado Ranch Boulevard.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-21-900622	Modifications for a previously approved retail building, restaurant buildings with drive-thru lanes, and a vehicle maintenance facility	Approved by ZA	November 2021
NZC-19-0881	Reclassified the site from R-E to C-2 zoning for a retail building, restaurant buildings with drive-thru lanes, and a vehicle maintenance facility	Approved by BCC	February 2020

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-19-0609	Vacated government patent easements on the west parcel and a portion of right-of-way being Rogers Street	Approved by PC	October 2019

**Surrounding Land Use**

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

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

**Related Applications**

Application Number	Request
TM-22-500075	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Satisfy utility companies' requirements.

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

**Public Works - Development Review**

- Right-of-way dedication to include 45 feet to the back of curb for Silverado Ranch Boulevard on APN 177-31-104-001;
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: UMER MALIK**

**CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118**





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0210</u>	DATE FILED: <u>4/7/22</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/11/22</u>
<input checked="" type="checkbox"/> <b>VACATION &amp; ABANDONMENT (vs)</b> <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>6/7/22</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Umer Malik</u>
	ADDRESS: <u>11510 Mystic Rose Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>702-767-3764</u> CELL: _____
	E-MAIL: <u>umerzmalik1@gmail.com</u>

<b>APPLICANT</b>	NAME: <u>Umer Malik</u>
	ADDRESS: <u>11510 Mystic Rose Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>702-767-3764</u> CELL: _____
	E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: _____
	E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u>

ASSESSOR'S PARCEL NUMBER(S): 177-30-104-001

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch & Rogers

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.

Umer Malik

Umer MALIK

Property Owner (Signature)\*

Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON November 15, 2021 (DATE)  
 By Umer Malik  
 NOTARY PUBLIC: Elisha Scrogum



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



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0210</u>	DATE FILED: <u>4/7/22</u>
<input checked="" type="checkbox"/> <b>VACATION &amp; ABANDONMENT (vs)</b> <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> <b>EXTENSION OF TIME (ET)</b> (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____ TAB/CAC: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____	TAB/CAC DATE: _____

<b>PROPERTY OWNER</b>	NAME: <u>Amina Shahid, Trustee of the Ashahid Revocable Living Trust</u> ADDRESS: <u>11540 Via Princessa Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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<b>APPLICANT</b>	NAME: <u>Umer Malik</u> ADDRESS: <u>11510 Mystic Rose Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>702-767-3764</u> CELL: _____ E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-30-104-002

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch & Rogers

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.

Amina Shahid  
 Property Owner (Signature)\*

AMINA SHAHID  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON November 6, 2021 (DATE)  
 By Amina Shahid  
 NOTARY PUBLIC: [Signature]



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



**TANEY ENGINEERING**

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

March 15, 2022

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

PLANNER  
COPY

VS-22-0210

**Re: Silverado Ranch & Rogers  
Vacation Justification Letter – Revised  
APN: 177-30-104-001 & 177-30-104-002**

To whom it may concern:

On behalf of our client, Umer Malik, Taney Engineering is respectfully submitting justification for the vacation of a resolution relative to the acquisition of rights of way, a patent easement, and a public right-of-way.

**Resolution Relative to the Acquisition of Rights of Way Vacation:**

We are requesting to vacate a portion of the Resolution Relative to the Acquisition of Rights of Way dedicated per document number 568:527122. The vacation consists of the south 5 ft. of the dedicated right-of-way along APN: 177-177-30-104-001, and is necessary to accommodate the detached sidewalk proposed on the south side of Silverado Ranch Boulevard.

**Patent Easement Vacation:**

We are requesting to vacate a portion of the patent easement, Patent Number 1179972. This patent easement is 33 ft. wide and located along the eastern, southern, and western property lines of APN: 177-30-104-002. Due to the parcel being developed into a commercial subdivision, the stated patent easement is no longer necessary.

**Right-of-Way Vacation:**

We are requesting to vacate a portion of Silverado Ranch Boulevard, dedicated per document numbers 529:488194 and 568:527122. The vacation consists of the south 5 ft. of the dedicated right-of-way along APN: 177-177-30-104-002, and is necessary to accommodate the detached sidewalk proposed on the south side of Silverado Ranch Boulevard.

A legal description, exhibit, and supporting documents for each vacation have been provided with this application for review.

If you have any questions or require any additional information, please call 702-362-8844.

Respectfully,

Jeremiah Johnson  
Land Planner





06/07/22 PC AGENDA SHEET

SILVERADO RANCH & ROGERS  
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-22-500075-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS, ET AL:**

**TENTATIVE MAP** for a commercial subdivision on 2.1 acres in a C-2 (General Commercial) Zone.

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

**RELATED INFORMATION:**

**APN:**

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

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4485 W. Silverado Ranch Boulevard
- Site Acreage: 2.1
- Number of Lots: 1
- Project Type: Commercial subdivision

The plans show a 1 lot commercial subdivision on a 2.1 acre site. Access to the site is from Silverado Ranch Boulevard.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-21-900622	Modifications for a previously approved retail building, restaurant buildings with drive-thru lanes, and a vehicle maintenance facility	Approved by ZA	November 2021
NZC-19-0881	Reclassified the site from R-E to C-2 zoning for a retail building, restaurant buildings with drive-thru lanes, and a vehicle maintenance facility	Approved by BCC	February 2020
VS-19-0609	Vacated government patent easements on the west parcel and a portion of right-of-way being Rogers Street	Approved by PC	October 2019

**Surrounding Land Use**

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

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

**Related Applications**

Application Number	Request
VS-22-0210	A vacation and abandonment of government patent easements, a resolution relative to the acquisition of rights-of-way, and a 5 foot wide portion of right-of-way being Silverado Ranch Boulevard is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**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:**

**Current Planning**

- 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 by entering into a Standard Development Agreement with Clark County.
- 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Silverado Ranch Boulevard on APN 177-30-104-001;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Silverado Ranch Detention Basin and the Silverado Ranch Boulevard improvement projects;
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Current Planning Division - Addressing**

- 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 #0201-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** UMER MALIK

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118





# TENTATIVE MAP APPLICATION 13A

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

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500075</u>	DATE FILED: <u>4/7/22</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/11/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>6/7/22</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Amina Shahid, Trustee of the Ashahid Revocable Living Trust</u>
	ADDRESS: <u>11540 Via Princessa Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Umer Malik</u>
	ADDRESS: <u>11510 Mystic Rose Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>702-767-3764</u> CELL: _____
	E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S. Jones Blvd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: _____
	E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u>

ASSESSOR'S PARCEL NUMBER(S): 177-30-104-002

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch & Rogers

TENTATIVE MAP NAME: Silverado Ranch & Rogers

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

Amina Shahid \_\_\_\_\_ AMINA SHAHID \_\_\_\_\_  
Property Owner (Signature)\* Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 6, 2021 (DATE)  
By Amina Shahid \_\_\_\_\_

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.



# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500075</u>	DATE FILED: <u>4/7/22</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: _____
TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	TAB/CAC DATE: _____
		PC MEETING DATE: <u>6/7/22</u>	
		BCC MEETING DATE: _____	
		FEE: _____	

PROPERTY OWNER	NAME: <u>Umer Malik</u>
	ADDRESS: <u>11510 Mystic Rose Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>702-767-3764</u> CELL: <u>N/A</u>
	E-MAIL: <u>umerzmalik1@gmail.com</u>

APPLICANT	NAME: <u>Umer Malik</u>
	ADDRESS: <u>11510 Mystic Rose Court</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>702-767-3764</u> CELL: <u>N/A</u>
	E-MAIL: <u>umerzmalik1@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S. Jones Blvd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: <u>N/A</u>
	E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u>

ASSESSOR'S PARCEL NUMBER(S): 177-30-104-001

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch & Rogers

TENTATIVE MAP NAME: Silverado Ranch & Rogers

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

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

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON Nevada November 15, 21 (DATE)  
 By Umer Malik

NOTARY PUBLIC: Elisha Scrogum



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

06/07/22 PC AGENDA SHEET

SUPPERCLUB  
(TITLE 30)

BLUE DIAMOND RD/DECATUR BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0207-LDR PARTNERS:**

**USE PERMIT** to reduce the separation of a proposed supper club in conjunction with an existing restaurant on a 0.5 acre portion of an 8.0 acre shopping center in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/jor/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-13-712-002; 176-13-712-005 through 176-13-712-007; 176-13-801-046 ptn

**USE PERMIT:**

Reduce the separation of a proposed supper club from a residential use to 83 feet where 200 feet is required per Table 30.44-1 (a 59% decrease).

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5070 Blue Diamond Road
- Site Acreage: 0.5 (Location of existing restaurant)/8.0 (entire shopping center)
- Project Type: Proposed supper club (Sharky's Modern Mexican Kitchen)
- Number of Stories: 1
- Square Feet: 2,915 (restaurant)
- Parking Required/Provided: 155/248 (overall shopping center)

**Site Plan**

The site plan depicts an existing shopping center on 8 acres. The proposed supper club within an existing restaurant (Sharky's Modern Mexican Kitchen) is under APN 176-13-712-006 on 0.5 acres. Access to the site is via existing driveways along Blue Diamond Road and Durango Drive. DR-0600-16 was approved for the applicant's restaurant which also included the existing outside dining area on the south facing elevation of the restaurant. Today, the applicant is requesting to add a supper club service to the existing restaurant. This use permit request is to

reduce the 200 foot separation to 83 feet from the nearest residential use to the north. Parking spaces are located on the south, east, and northern areas of the subject parcel; however, cross-access and shared parking exists throughout the shopping center.

Landscaping

There is landscaping throughout the existing shopping center. Landscaping is neither required nor a part of this request.

Elevations

The elevation plans show an existing restaurant with an overall height of 24 feet. Exterior materials include anodized aluminum framing with insulated glass assembly, horizontal Timber Tex siding, and other details such as wall sounce installation, cement siding details, and wooden beam features.

Floor Plan

The floor plan shows the dining area, kitchen, back of house areas, restrooms, outside dining area, and storage areas.

Signage

Signage is not a part of this request.

Applicant's Justification

Sharky's Modern Mexican Kitchen is an existing restaurant with hours of operation from 10:30 a.m. to 11:30 p.m. daily. The restaurant currently has an outside dining area, and the restaurant is fully operational. The applicant would like to add a supper club service to the existing restaurant to help diversify the menu. The request is to reduce the 200 foot separation to 83 feet from the nearest residences to the north. The site plan shows that there is an existing 24 foot wide drive aisle, existing landscaping, and screen wall which helps buffer the proposed supper club and existing restaurant to the residences to the north.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-18-0575	Increased the sign area for a projecting/hanging sign (Sharky's Modern Mexican Kitchen)	Approved by PC	September 2018
DR-0600-16	Restaurant (Sharky's Modern Mexican Kitchen)	Approved by BCC	October 2016
UC-0488-16	Reduced the separation of an outside dining area from a residential use; and design review for a commercial building with a drive-thru	Approved by BCC	September 2016
DR-0851-15	Retail building (Goodwill)	Approved by BCC	February 2016



**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-1370-07	Reduced trash enclosure setbacks, alternative street landscaping, and driveway separation; design review for a shopping center; waivers of conditions to WS-1646-05 for landscaping and restrictions on public address system or speakers	Approved by BCC	February 2008
WS-1765-06	Reduced driveway throat depth in conjunction with the shopping center	Approved by PC	February 2007
WS-1646-05	Allowed landscaping within the Blue Diamond Road right-of-way; design review for a pharmacy within the shopping center	Approved by BCC	December 2005
ZC-1256-05	Reclassified the site to C-2 zoning for future commercial development subject to a design review as a public hearing	Approved by BCC	September 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential
South & East	Corridor Mixed-Use	C-2	Shopping centers
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	M-D & R-2	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Staff finds that since the restaurant is existing and the outside dining has had no reported problems, adding a supper club can be a positive addition to the restaurant. Reducing the 200 foot separation requirement to 83 feet is warranted because the existing parking spaces at the rear of the building, the 24 foot wide drive aisle, the 13 foot wide landscape area, and the existing screen wall adjacent to the landscape area provides an adequate buffer. Staff supports this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MARK EVENSVOLD**

**CONTACT: MARK EVENSVOLD, 236 TOWER ST, LAS VEGAS, NV 89101**



## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

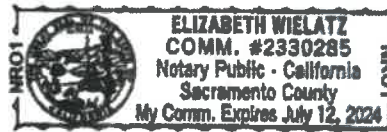
State of California  
County of Sacramento

On 2/10/2022 before me, Elizabeth Wielatz, Notary  
(insert name and title of the officer)

personally appeared Macie Hertoghe  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Elizabeth Wielatz (Seal)

UC-22-0207

To whom it may concern,

We are applying for a Special Use Permit for a proposed super club for Sharky's Modern Mexican Kitchen at 5070 Blue Diamond Rd. Las Vegas 89101 .

We are asking to reduce the separation from 200 feet to 83 feet as required per Title 30 noting that there is a 6-foot wall separating our property line with the housing behind us. Also, there is no access for pedestrian to access from the neighborhood behind us.

Our hours of operation will be 10:30 pm to 11pm daily .

We are applying for our special use permit as we want to build more liquor and food sales for our restaurant and bar .

Sincerely,

Mark Evensvold

Operating Partner

PLANNER  
COPY



06/07/22 PC AGENDA SHEET

HOOKAH LOUNGE  
(TITLE 30)

LAS VEGAS BLVD S/SERENE AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0236-REAL EQUITIES LLC:**

**USE PERMIT** for a hookah lounge in conjunction with an existing shopping center on a portion of 28.7 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northwest corner of Serene Avenue and Las Vegas Boulevard South within Enterprise. MN/bb/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-20-602-009 ptn

**LAND USE PLAN:**  
ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9175 Las Vegas Boulevard South, Suite 100E
- Site Acreage: 28.7 (portion)
- Project Type: Hookah lounge
- Number of Stories: 1
- Square Feet: 2,870 (lease)
- Parking Required/Provided: 1,080/1,226 (overall complex)

**Site Plan**

The site is the Vegas Pointe Plaza Shopping Center (formally the Factory Stores of America and the Las Vegas Outlet Stores) which was constructed in 1992. The center consists of 2 buildings that are divided into lease spaces and anchor stores, which are located along the north, west, and south sides of the site. Parking for the shopping center is located in the center of the parcel between the buildings, and access to the shopping center is provided from Las Vegas Boulevard South and Serene Avenue. The proposed hookah lounge use is located within an in-line retail building located at the southeast corner of the shopping center.

**Landscaping**

There is existing landscaping along the exterior of the shopping center, as well as some parking lot landscaping. There are no proposed or required modifications to the existing landscaping.

### Elevations

The photos show an existing 1 story building, painted in earth tone colors, with a flat roof and parapet walls at varying heights on the east and north facing sides.

### Floor Plans

The proposed hookah lounge use will occupy 1 lease space (total of 2,870 square feet) within the shopping center. The plan depicts a seating area, bar, office, storage areas, existing kitchen, and restrooms.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that the proposed hookah lounge use is compatible with other uses in the immediate area and will not have a detrimental impact on adjacent properties, or the traffic conditions in the area. There is adequate parking for the use which has daily planned operational hours of 3:00 p.m. to 2:00 a.m. There are several vacant store spaces in this shopping center with underutilized parking.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0404	Supper club	Approved by PC	September 2021
UC-21-0196	Billiard hall & service bar	Approved by PC	June 2021
UC-19-0082	Banquet facility	Approved by PC	March 2019
UC-18-0073	Minor training facility (piano, martial arts, guitar, voice lessons, and after school programs)	Approved by PC	March 2018
UC-0412-17	Daycare facility	Approved by PC	July 2017
UC-0148-14	Place of worship	Approved by PC	May 2014
UC-0062-14	Daycare facility - expired	Approved by PC	March 2014
UC-0475-13	Reduced the separation of a tavern from a residential use	Approved by PC	October 2013
UC-0488-12	Secondhand sales (clothing)	Approved by PC	October 2012
UC-0355-11	Swap meet, farmer's market, and recreational facility with wall signs	Approved by PC	September 2011
UC-0009-11	Place of worship	Approved by PC	March 2011



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0332-10	Banquet facility	Approved by PC	September 2010
UC-0929-08	Massage establishment	Approved by PC	November 2008
UC-0849-08	Reduced the separation of a supper club from a residential use - expired	Approved by PC	October 2008
UC-0364-07	Tavern - expired	Approved by PC	May 2007
UC-0962-05	Daycare facility - expired	Approved by PC	August 2005
ZC-0036-04	Reclassified the property from C-2 to H-1 zoning for an existing shopping center	Approved by BCC	February 2004
UC-0497-99	Daycare facility - expired	Approved by PC	May 1999
ZC-154-90	Reclassified the property from R-E & H-1 to C-C zoning for a shopping center	Approved by BCC	October 1990

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Emerald Suites Condominiums
South	Entertainment Mixed-Use & Open Lands	H-1	Boca Raton Resort Condominiums & undeveloped
East	Entertainment Mixed-Use	H-1	Manhattan Residential Condominiums, undeveloped, & Lee's Discount Liquor Store
West	Entertainment Mixed-Use	R-3 & R-4	Apartments

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The existing shopping center includes a variety of commercial uses, and staff does not anticipate any negative impacts from the proposed hookah lounge use. Abundant parking is available to accommodate the additional uses, and although residential uses are located around the periphery of the shopping center, the size of the development (28.7 acres) acts as a buffer between the proposed theater and supper club and surrounding residential development. The nearest residential property is over 200 feet to the east of the hookah location and on the other side of Las Vegas Boulevard South.

The residential use located on the south side of Serene Avenue is over 300 feet from the wall of the hookah lease space. As a result, staff can support the request.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

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

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

**APPLICANT:** EHAB MOUSTAFA  
**CONTACT:** RAVIN NATHAN, 10117 OCICAT AVENUE, LAS VEAGS, NV 89166



# LAND USE APPLICATION 15A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>UC-22-0236</u> DATE FILED: <u>4-13-2022</u> PLANNER ASSIGNED: <u>BOB</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-11-2022</u> PC MEETING DATE: <u>6-7-2022</u> BCC MEETING DATE: _____ FEE: <u>675</u>
	<b>PROPERTY OWNER</b>	NAME: <u>REAL EQUITIES LLC</u> ADDRESS: <u>14039 SHERMAN WAY #201</u> CITY: <u>VAN NUYS</u> STATE: <u>CA</u> ZIP: <u>91405</u> TELEPHONE: <u>(818) 430-5477</u> CELL: _____ E-MAIL: <u>WCICO@YAHOO.COM</u>
	<b>APPLICANT</b>	NAME: <u>INHALE HOOKAH LOUNGE</u> ADDRESS: <u>9175 S LAS VEGAS BLVD. #100E</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>(702) 724-6687</u> CELL: _____ E-MAIL: <u>EMOUS2020@GMAIL.COM</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>RAVIN NATHAN</u> ADDRESS: <u>10117 OCICAT AVENUE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89166</u> TELEPHONE: _____ CELL: <u>(702) 245-8690</u> E-MAIL: <u>RVNATHAN@YAHOO.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-20-602-009  
 PROPERTY ADDRESS and/or CROSS STREETS: 9175 S LAS VEGAS BLVD. #100E LAS VEGAS NV 89123  
 PROJECT DESCRIPTION: 2900 S.F HOOKAH LOUNGE #100E

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.

SHAWN BIDSAL  
 Real Equities, Manager  
 Property Owner (Signature)      Property Owner (Print)

STATE OF California  
 COUNTY OF Los Angeles  
 SUBSCRIBED AND SWORN BEFORE ME ON Mar. 16, 2022 (DATE)  
 By Shawn Bidsal  
 NOTARY PUBLIC: Rod Elyson



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

03/18/22

**JUSTIFICATION LETTER**  
**SPECIAL USE PERMIT FOR INHALE HOOKAH LOUNGE**  
**9175 S LAS VEGAS BLVD. #100E**  
**APN# 177-20-602-009**

**PLANNER  
COPY**

Dept. of Comprehensive Planning  
Clark County, Las Vegas  
550 S Grand Central Parkway  
Las Vegas NV 89155

UC-22-0230

The Tenant " Inhale Hookah Lounge" would like to operate a 2900 S.F.. Hookah Lounge @ the above location in LAS VEGAS POINT PLAZA, in the North west Corner of S Las Vegas Blvd. & Serene Avenue. This 28 Ac. Shopping Mall Complex is in H-1 Zone and we request by this Application to approve the Tenant to operate this Business which is a conforming use for this property.

Attached herewith please find photos of Exterior Elevations of the building. Exterior surfaces shall be cleaned up and new signage of the business shall be mounted on east & south end of the building. The existing drought tolerant landscaping as shown in photos shown to remain & maintained by Vegas Point Plaza complex. There is sufficient parking spaces for this business and the hours of operation is limited to 3 pm tp 2 am only.

The Tenant has great experience in operating several Hookah Lounges here in Las Vegas and Chicago and planning to employ Five persons to carry out the day to day operation successfully at this location.

Currently there are several vacant spaces in this vast complex and we appreciate you encouraging more business to locate to this Complex by expediting the application process..

We would appreciate if you could approve the Use permit for the 2900 S.F. 9175 S Las Vegas Blvd. #100E.

Thank you very much for your cooperation.  
Sincerely,

Ravin Nathan  
(702) 245-8690

06/07/22 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

REDWOOD ST/GOMER RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-22-0217-A GRADING COMPANY:**

**VACATE AND ABANDON** easements of interest to Clark County, located between Gomer Road and the Union Pacific Railroad (UPRR), and between Redwood Street and UPRR within Enterprise (description on file). JJ/nr/jo (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-26-101-002

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide patent easements on the east, south, west and portion of the north boundaries of the property. The applicant states that this is necessary to develop a storage facility. There is a right-of-way dedicated on the northern portion of Gomer Road. A cul-de-sac is being dedicated on this property; therefore, the patent easement is not vacated on the roadway portion. Additional right-of-way is being dedicated and a bulb cul-de-sac is being built within the existing and new right-of-way.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	M-1	Recycling center & UPRR
South	Business Employment	M-1	Undeveloped
East	Business Employment	R-U	UPRR
West	Business Employment	M-1	Manufacturing & outside storage

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-22-0216	An outside storage facility with landscaping and off-site waivers 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.

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

Staff has no objection to the vacation of patent easements provided that sufficient and acceptable access is provided to the properties to the east and northeast.

### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

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

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

- Grant right-of-way necessary to accommodate a future 60 foot wide roadway along the northern property line or obtain a signed and notarized letter from an official with the Union Pacific Railroad indicating that an access easement with a minimum width of 30 feet, or a width approved by Clark County, will be sufficient;
- Right-of-way dedication to include 30 feet for Gomer Road and all of the off-set cul-de-sac as shown on the plan, unless the full 60 foot wide roadway is needed per the above condition, in which case the dedication requirement will be 30 feet for Gomer Road and the portion of the cul-de-sac adjacent to the eastern boundary of the site to allow the cul-de-sac dedication to be proportionally split between all properties;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; 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; and that all streets or access lanes must be code compliant.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LAS VEGAS PAVERS MFG

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG -577, LAS VEGAS, NV 89101





APR 21-10/573



# VACATION APPLICATION 16A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0217</u>	DATE FILED: <u>4/11/22</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/11/22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>6/07/22</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>A Grading Company</u>
	ADDRESS: <u>2834 Torrey Pines</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Las Vegas Paver MFG</u>
	ADDRESS: <u>6645 Gomer</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: _____ CELL: <u>602-315-8254</u>
	E-MAIL: <u>jay@amt-america.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>LAS Consulting -Lucy Stewart</u>
	ADDRESS: <u>1930 Village Center Circle, Blq 3, #577</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u>
	E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 176-26-101-002

PROPERTY ADDRESS and/or CROSS STREETS: south side of Gomer, west of the railroad

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.

Paul G. Dabatt  
Property Owner (Signature)\*

Daryl Jay Donkersloot  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/23/2021 (DATE)

By Daryl Jay Donkersloot  
NOTARY PUBLIC: Luiz Annabelle Robles



\*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.

LAS Consulting  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

PLANNER  
COPY

VS-22-0217

December 17, 2021

Ms. Nicole Russell, Senior Planner  
Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas, NV 89155

**RE: Justification letter- APR 21-101573**

Dear Ms. Russell:

Please accept this letter as our request for a vacation and abandonment application for patent easements. These are necessary to develop the property as a storage facility. The patent easements surround the perimeter of the property. There is right of way dedicated on the northern portion of Gomer. A cul-de-sac is being dedicated on this property; therefore, the patent easement isn't being vacated on the roadway portion. Additional right of way is being dedicated and a cul-de-sac bulb is being built within the existing and new right of way.

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

Yours truly,

*Lucy Stewart*

Lucy Stewart

06/07/22 PC AGENDA SHEET

OUTSIDE STORAGE  
(TITLE 30)

GOMER RD/REDWOOD ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0216-A GRADING COMPANY:**

**WAIVER OF DEVELOPMENT STANDARDS** for off-site improvements.  
**DESIGN REVIEWS** for the following: 1) alternative landscaping; and 2) an outside storage facility on 2.5 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Gomer Road and 977 feet east of Redwood Street within Enterprise. JJ/nr/jo (For possible action)

RELATED INFORMATION:

**APN:**  
176-26-101-002

**WAIVER OF DEVELOPMENT STANDARDS:**  
Waive sidewalk and streetlights along Gomer Road where required per Chapter 30.52.

- DESIGN REVIEWS:**
1. Allow for alternative parking lot landscaping.
  2. Outside storage facility.

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

**BACKGROUND:**  
**Project Description**

- General Summary**
- Site Address: N/A
  - Site Acreage: 2.5
  - Project Type: Outside storage
  - Parking Required/Provided: 3/3

**Site Plans**  
The plans show a 2.5 acre parcel with an 8 foot high screened fence along the entire perimeter. A pedestrian gate is located on the west side of the site. Three parking spaces are located at the north side of the site. Gomer Road terminates in a cul-de-sac on the north side of the site. A 35 foot wide access gate will be located 18 feet from the cul-du-sac bulb on Gomer Road.

Landscaping

A 10 foot wide landscape area will be located along the cul-du-sac bulb of Gomer Road. The proposed landscaping is more than Title 30 requires for street landscaping; however, less than what is required for parking lot landscaping. A design review is requested to allow for alternative parking lot landscaping in lieu of the additional landscaping along Gomer Road.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the outside storage facility would support the manufacturing facility to the west which produces concrete pavers. The site will be in keeping with the area.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	M-1	Recycling center and UPRR
South	Business Employment	M-1	Undeveloped
East	Business Employment	R-U	UPRR
West	Business Employment	M-1	Manufacturing, & outside storage

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0217	A request to vacate patent easements is a companion item on this agenda

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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 Reviews

Staff can support the design review for alternative parking lot landscaping due to the increase in street landscaping. The proposed outside storage yard will have more landscaping than required along the street. Although internally the site will be lacking landscaping, the intent of Title 30 is met. Staff finds this request is in keeping with the established industrial land use character of the area, and can, therefore, support these requests.

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

#### Waiver of Development Standards

Staff has no objection to the request to not to install sidewalks and streetlights on Gomer Road as the proposed improvements will match the improvements to the west.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- Grant right-of-way necessary to accommodate a future 60 foot wide roadway along the northern property line or obtain a signed and notarized letter from an official with the Union Pacific Railroad indicating that an access easement with a minimum width of 30 feet, or a width approved by Clark County, will be sufficient;
- Right-of-way dedication to include 30 feet for Gomer Road and all of the off-set cul-de-sac as shown on the plan, unless the full 60 foot wide roadway is needed per the above condition, in which case the dedication requirement will be 30 feet for Gomer Road and the portion of the cul-de-sac adjacent to the eastern boundary of the site to allow the cul-de-sac dedication to be proportionally split between all properties;
- Execute a Restrictive Covenant Agreement (deed restrictions).

#### **Fire Prevention Bureau:**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; 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; and that all streets or access lanes must be code compliant.

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

- No comment.

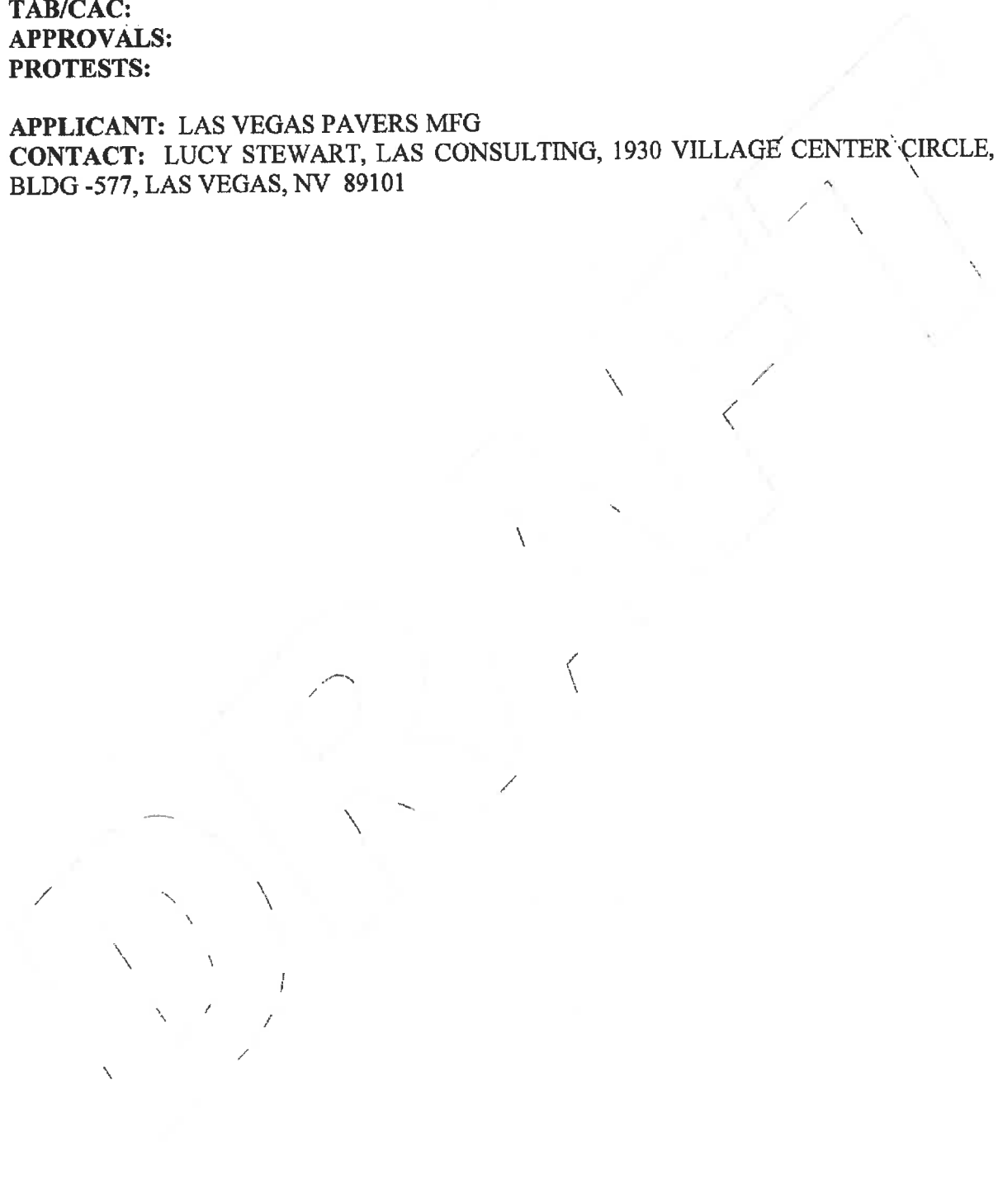
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LAS VEGAS PAVERS MFG

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG -577, LAS VEGAS, NV 89101



APR 21-10/573



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 17A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-22-0216</u> DATE FILED: <u>4/11/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: <u>6/7/22</u> BCC MEETING DATE: _____ FEE: <u>\$1150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>A Grading Company</u> ADDRESS: <u>2834 Torrey Pines</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Las Vegas Paver MFG</u> ADDRESS: <u>6645 Gomer Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89</u> TELEPHONE: _____      CELL: <u>89139</u> E-MAIL: <u>guy@lochsa.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Lucy Stewart / LAS Consulting</u> ADDRESS: <u>1930 Village Center Circle, Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 176-26-101-002

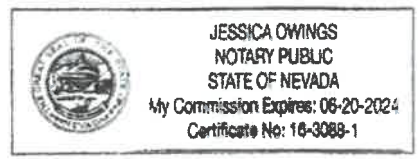
PROPERTY ADDRESS and/or CROSS STREETS: Gomer Road east of Redwood Street

PROJECT DESCRIPTION: storage yard

(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.

Thomas W. Trenholm      Thomas W. Trenholm  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 09/24/2021 (DATE)  
 By Thomas W. Trenholm  
 NOTARY PUBLIC: \_\_\_\_\_



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

LAS Consulting  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

March 4, 2022

PLANNER  
COPY  
WS-22-021b

Ms. Nicole Russell, Senior Planner  
Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas, NV 89155

**RE: Justification letter- APR 21-101573**

Dear Ms. Russell:

Please accept this letter as our request for a design review and waiver of development standards for an additional lot for storage for an existing concrete manufacturing facility. There is an existing plant that creates concrete pave stones on the site, they are dried, then stacked and stored in an open storage yard. That facility is located on the south side of Gomer Avenue, 330 feet east of Redwood Street, and is zoned M-1 and the Enterprise Land Use Guide designates the site as Business Employment.

Earlier this year, an addition was approved to increase the capacity of the plant. We are requesting to pave this adjacent parcel as storage for the increased storage for the pave stones. We are requesting to pave the site, fence the site, and provide landscaping adjacent to the street. Three parking spaces are provided, and a pedestrian gate is provided to the main plant to the west.

This parcel is at the end of the street, adjacent to the railroad property. We are requesting a design review for outside storage, and waiver off-sites (sidewalks, and streetlights), the same as was approved for the adjacent property to the west. I spoke with Antonio Papazian prior to submitting and he indicated he had no objection, we just couldn't waive the pavement.

Applications requested:

- Waiver of Development Standards for off-site improvements.



- Design Review for alternative parking lot landscaping.
- Design Review for an outside storage facility.

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

Yours truly,

*Lucy Stewart*

Lucy Stewart

LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSIMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

April 13, 2021

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

PLANNER  
COPY

WS-22-0241

**RE: Justification Letter (Revision 2)  
Gilespie & Hidden Well – Hotel for Carpenters Union  
Waiver of Development Standards and Design Reviews for a proposed  
Hotel.  
Assessors' Parcel Numbers: 177-04-613-001 (PTN)**

**To Whom It May Concern:**

On behalf of our Client, Jobsite Hospitality, we respectfully submit this application package for Waivers of Development Standards and Design Reviews for a proposed hotel.

This request is for the re-approval of a previously approved hotel (WS-18-0178), located on a 2.19 acre portion of a 7.7 acre parcel in a C-2 (AE-60) Zone. The site is east of Gilespie Street, south of Carpenters Union Way, and 400 feet north of Hidden Well Road. The hotel is five (5) stories, 66 feet high with 147 rooms. Two other hotels are developed on the southern portion of the parcel. The proposed hotel for use in conjunction with the Carpenters Union which has its headquarters locate on a separate parcel in close proximity to the subject site.

**Site Plan**

The plans depict a proposed hotel which was previously approved by action on WS-18-0178 on the northwestern portion of the parcel. There are two (2) other existing hotels on the site. The previously approved hotel is entirely on the C-2 zoned portion of the parcel. The main entrance to the hotel is from a porte-cochere that faces south and is internal to the site. The throat depth for the driveway on Carpenters Union Way is only eight (8) feet and requires a waiver of development standards. Access to the site is from Carpenters Union Way, Gilespie Street and Hidden Wells Way with shared cross access, ingress, and egress with the other developments on the site. A total of 147 parking spaces are provided for the hotel where 147 spaces are required.

**Landscaping:**

The plan depicts a minimum landscape width of 15 to 29 feet with an attached sidewalk along the Gilespie Street frontage. A ten (10) to 18 foot wide landscape area is provided along Carpenters Union Way with an attached sidewalk; and a ten (10) foot wide landscape area is shown along a portion of Lacienea Street on the east property line. Landscaping exists along both Hidden Wells Road and Lacienea Street with attached sidewalks on the south and east property lines and was provided with the development of the southern portion of the site.

**Elevations:**

The plans depict a five (5) story, 66 foot high hotel with a flat roof surrounded by parapet walls and metal screens. Building material consist of EFIS systems in contrasting colors, metal cladding, decorative stone/tile panels and glass and aluminum store front windows and door systems. Decorative materials and accents in complementary colors are incorporated in the columns and parapets of the building.

**Floor Plans:**

The plans depict 147 rooms, a lobby area, a lounge area, pantry, fitness room, laundry, and offices.

**Signage:**

Signage is not a part of this application and notes are provided on the plans to state that signage is not a part of the application.

**Waiver of Development Standards:**

- 1) Increase the building height to 66 feet where a maximum of 50 feet is the Code standard.

**Justification:**

The proposed building height of 66 feet is to accommodate the roof, parapet walls, mechanical equipment, the mechanical screens. The height of the occupied portion of the building is up to 45 feet 6 inches. The remaining height is for the parapet and the screening systems which actually enhances the building and was previously approved by action on WS-18-0178. The two (2) other hotels on the southern

portion of the site are also higher than the 50 feet allowed in the zoning district. Additionally, since the hotel and site are also adjacent to sites with buildings that are up to 90 feet high, this request is compatible with existing uses in the area.

**Waivers of Development Standards:**

- 2) Reduce the throat depth for the driveway along Carpenters Union Way to 8 feet where a minimum of 75 feet is required by Code.

**Justification:**

The request to reduce the throat depth is for a driveway that provides secondary access to the site and was actually shown and approved with the hotels on the site. The request will not adversely impact access to the site or the street because there are two other driveways that provide access to the site. Carpenters Union Way is a street that terminates into a cul-se-sac to the east and is, therefore, only used to access properties with direct access to the street and has limited traffic volumes.

- 3) Permit alternative parking lot design and landscape fingers which do not comply with Figure 30.64-14.

**Justification:**

The alternative design of the parking lot including the landscape fingers provided is more in compliance to Code than the other portions of the site with the two existing hotels. This design will also ensure that the required parking spaces are provided for the hotel, therefore, adequate parking is available for all three hotels on the site. This alternative design ensures that this portion of the site is integrated with the overall site and, therefore, fits into the overall design of the site without impacting the aesthetics of the site.

- 4) Permit an alternative loading space design.

**Justification:**

The loading space provided is 46 feet wide with a depth of 18 feet which is larger than the design per figure 30.60-6. This alternative design is actually typical for these types of hotel which are more business oriented. This design allows guests and delivery trucks to pull in with a quick turn in the loading space which is also typically adjacent to the front entry to the hotel. This parallel design of a loading

LAW OFFICE

*Brown, Brown & Premsrirut*

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space in this case allows for a quick pull in and out of the loading space without impacting the drive aisle by providing a depth of 18 feet instead of 10 feet as well as a width of 46 feet instead of 25 feet. This the space reason for the width provided. Additionally, deliveries to hotels not often because of the uses. The delivery is usually by van and small truck for linen and food items for guest not by commercial vehicles or fifth wheel trucks. This alternative design actually complies with Section 30.60.080(4) allows for alternatives based on evidence that typical design may not fit in with a specific situation or site. Providing the typical design per the figure will actually not fit the design and function of the hotel.

**Design Review:**

A proposed hotel on a 2.19 acre portion of 7.7 acre parcel.

**Justification:**

The proposed hotel is an appropriate and compatible use on the site and the adjacent area. The design is compatible with the other developed hotel on the site, the area and complies with policy 6.1.2 because the development results in a balanced mix of uses in the area and does not create a conflict in uses on the site or area. Additionally, the proposed use also complies with Policy 5.5.1 for a development that creates jobs for the area.

We appreciate your review of the application and respectfully request your positive review and recommendation of the application.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT  
Lebene Ohene

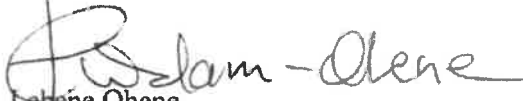
Land Use & Development

LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

BROWN, BROWN & PREMSRIRUT

  
Lebeñe Ohene  
Land Use and Development Consultant

06/07/22 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY  
(TITLE 30)

FORT APACHE RD/MERANTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0239-MOSAIC LAND 1 LLC:

VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Chieftain Street (alignment), and between Meranto Avenue and Richmar Avenue (alignment); and a portion of right-of-way being Fort Apache Road located between Meranto Avenue and Richmar Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-19-701-011; 176-19-701-012; 176-19-701-014

**LAND USE PLAN:**

ENTERPRISE - COMPACT NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of 33 foot wide patent easements located on the perimeters of the subject parcels, excepting out the southerly 30 feet for Meranto Avenue and the westerly 45 feet for Fort Apache Road. Additionally, the plans show the vacation and abandonment of a 5 foot wide portion of the west side of Fort Apache Road to accommodate a detached sidewalk in conjunction with a residential development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-19-0534	Reclassified the project site to an RUD zone with design reviews for a planned unit development and finished grade	Approved by BCC	September 2019
VS-19-0535	Vacation and abandonment of patent easements and right-of-way being Fort Apache Road - expired	Approved by BCC	September 2019
TM-19-500137	79 lot single family residential development	Approved by BCC	September 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Compact Neighborhood (up to 18 du/ac)	RUD	Undeveloped
South	Open Lands	R-E	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Compact single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) and 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**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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



**Public Works - Development Review**

- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road and 30 feet for Meranto Avenue;
- Applicant shall apply for any BLM right-of-way grants that are needed for roadway or drainage purposes;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** VINCENT SCHESSLER

**CONTACT:** AMBER DOLCE, RCI ENGINEERING, 500 S. RANCHO DRIVE, SUITE 17,  
LAS VEGAS, NV 89106





# VACATION APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

# 18A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0239</u>	DATE FILED: <u>4/13/22</u>
<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 #): _____		PLANNER ASSIGNED: <u>MND</u>	TAB/CAC DATE: <u>5/11/22 @ 6:00 P.M.</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>6/7/22 @ 7:00 P.M.</u>	
		BCC MEETING DATE: <u>-</u>	
		FEE: <u>\$ 875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Mosaic Land 1, LLC, Investor Equity Homes LLC, Mosaic Land Fund LLC, Vision Commercial One LLC</u> ADDRESS: <u>9930 W Flamingo Rd, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-608-6851</u> CELL: _____ E-MAIL: <u>vschettler@mosaicred.com</u>
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<b>APPLICANT</b>	NAME: <u>Mosaic Land 1, LLC</u> ADDRESS: <u>9930 W Flamingo Rd, Suite 110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-608-6851</u> CELL: _____ E-MAIL: <u>vschettler@mosaicred.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>RCI Engineering/Amber Dolce</u> ADDRESS: <u>500 S Rancho Drive, Suite 17</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-998-2109</u> CELL: _____ E-MAIL: <u>adolce@rcinevada.com</u> REF CONTACT ID #: <u>132803</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-19-701-014, 011 & 012

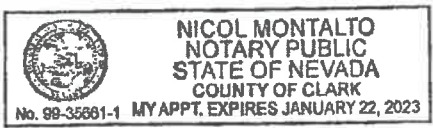
PROPERTY ADDRESS and/or CROSS STREETS: Meranto and Fort Apache

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

[Signature]  
Property Owner (Signature)\*

VINCENT SCHESSLER  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON February 4, 2022 (DATE)  
By Vincent Schettler  
NOTARY PUBLIC: Nicol Montalto



\*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 14, 2022

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

PLANNER  
COPY

**RE: Meranto and Fort Apache - Vacation and Abandonment Justification Letter**

On behalf of our client, Mosaic Red, LLC, we have prepared the following letter of justification in support of a Vacation for the Meranto and Fort Apache Single Family Attached Residential Development. The subject landholding consists of 7.50 gross acres located on the southwest corner of the intersection of W Meranto Avenue and S Fort Apache Road. The current assessor's parcel numbers for the affected parcels are 176-19-701-011, 012 and 014.

The current Vacation is a resubmittal of the previously approved VS 19-0535, which was approved by the Board of County Commissioners on September 04, 2019. This Vacation is in support of Zone Change ZC-19-0534 and Tentative Map TM-18-500137.

**Vacation of Patent Easements and Right-of-Way**

The existing patent easements and right of way are being requested for vacation to allow for further subdivision of the subject landholding without the aforementioned encumbrances. The patent easements being requested for vacation, located along the perimeter of APN 176-19-701-011, 012 and 014, do not provide access to adjacent parcels and their vacation will not result in the denial of public access to adjacent properties.

Similarly, the portion of public right of way being requested for vacation will not negatively impact current or future roadway patterns. The proposed vacation consists of a portion of the westernmost five feet, on Fort Apache Road, along the subject sites eastern boundary. The right of way vacation is being requested to provide for the construction of detached sidewalk in accordance with Title 30 requirements.



Your favorable consideration is appreciated. Should you have any questions or wish to further discuss this application please contact me at (702) 998-2101.

Sincerely,

**RCI** Engineering

A handwritten signature in black ink, appearing to read 'Chris Thompson', written over the 'RCI Engineering' text.

Chris Thompson, P.E.  
Principal



06/07/22 PC AGENDA SHEET

SETBACKS  
(TITLE 30)

DEAN MARTIN DR/FRIAS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0194-D R HORTON INC:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks in conjunction with a single family residential development on 22.5 acres in an RUD (Residential Urban Density) Zone.

Generally located on the west side of Dean Martin Drive and the south side of Frias Avenue within Enterprise. JJ/nr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-29-403-001; 177-29-406-003; 177-29-406-004

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce the rear setbacks for lots 16, 26, 35, lots 45 through lot 126, lot 128s through lot 186, and lots 188 through lot 197 to 10 feet where 15 feet is required per Table 30.40-2 (a 33% decrease).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 22.5
- Number of Lots/Units: 209 (entire subdivision)
- Project Type: Setbacks

**Site Plans**

The plans depict a previously approved single family residential development consisting of 207 lots on 22.5 acres. The minimum and maximum lot sizes are 2,657 square feet and 6,493 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Ti Amo Avenue, which connects to Dean Martin Drive. The other primary entrance to the proposed development is via a private street, Roma Moonlight Street, which connects Frias Avenue to Rush Avenue. The interior of the development is serviced by a network of 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street. Common element Lot F, is now consisting of 19,213 square feet of open space and is located on the south side of the

subdivision. Reduced setbacks are requested for a majority of the lots throughout the subdivision, including the perimeter lots along the north side of the subdivision, the east side along Dean Martin Drive and south side of the subdivision adjacent to commercial development.

Landscaping

Street landscaping consists of a 15 foot wide area which includes a 5 foot wide detached sidewalk along Dean Martin Drive and Frias Avenue. Along Rush Avenue and Polaris Avenue landscaping consists of a 6 foot wide area behind an attached 5 foot wide sidewalk. Internal to the site a network of common open space, which will be interconnected and is located throughout the development. These community elements will include on-site pedestrian paths, pavilions and benches for the future residents.

Elevations

The plans depict 3 different model homes each featuring 3 varying elevation models. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,715 square feet to 1,865 square feet depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed reduction in setbacks is due to topographic and site constrains. The justification letter states that added amenities within the subdivision will help compensate for reduced setbacks.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-20-0574	Reclassify 22.5 acres from R-E to RUD with alternative driveway geometrics and increased finish grade	Approved by BCC	March 2021
VS-20-0575	A request to vacate government patent easements and BLM right-of-way grants	Approved by BCC	March 2021
TM-20-500199	A tentative map to subdivide the site into 209 single family residential lots	Approved by BCC	March 2021
PA-18-700020	Re-designate the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single family residential subdivision - expired	Approved by BCC	November 2013



**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & R-D	Undeveloped & single family residential
South	Corridor Mixed Use, Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	C-1, C-2, & R-E	Convenience store, gas station, single family residential, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed Use	R-E & C-2	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-E & C-2	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff reviews waivers to ensure compatibility with existing and planned development in the surrounding area. Setbacks and separations help to preserve the appeal and integrity of an area and help to moderate visual impacts and possible safety issues. The subdivision was approved in a in a high density zoning district with smaller setbacks than other single family zoning districts in the Mid-Intensity Planned Land Use category.

The RUD zoning district could allow for patio covers on homes with a 3 foot setback from the rear property line. However, with the setback reduction the parcels included in this application would be prohibited from having any accessory structures, such as sheds, in the rear yard.

The square footage of the parcels within the subdivision are typical for the RUD zoning district; however, reducing the setbacks to fit a larger sized model for almost 75% of the proposed subdivisions lots is not appropriate. The applicant is requesting a reduction for 155 out of 207 lots to a 10 foot rear setback even though the revised site plan shows setbacks ranging from 10 to 14 feet (see color coded site plan). Staff finds that the proposed reduction is a self-imposed hardship and will ultimately affect the future home buyer with the inability to use their outdoor space like the other lots within the developing subdivision. Through thoughtful design or a reduced home size could be considered with minor modifications to an offered model could

provide the opportunity to meet the setbacks on all of the parcels. Staff finds the reduced setbacks are not suitable in meeting County Policy 1.3.5 of the Master Plan to encourage the integration of neighborhoods that enhance the health and quality of life for Clark County residents. Staff recommends denial.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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**

- All proposed single-family residential submittals will comply with code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curb for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1- and 2-family dwellings;
- Homes on undersized stub streets will require fire sprinklers.

**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 #0462-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** D R HORTON INC  
**CONTACT:** VTN-NEVADA, 2727 SOUTH RAINBOW BOULEVARD, LAS VEGAS, NV  
89146



APR 22-100002



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 19A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-22-0194</u> DATE FILED: <u>4/4/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: <u>6/07/22</u> BCC MEETING DATE: _____ FEE: <u>\$475</u>
	<b>PROPERTY OWNER</b>  NAME: <u>DR HORTON</u> ADDRESS: <u>1081 WHITNEY RANCH DRIVE, SUITE # 141</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>(702)365-3600</u> CELL: _____ E-MAIL: <u>SDCarter1@drhorton.com</u>
	<b>APPLICANT</b>  NAME: <u>DR HORTON</u> ADDRESS: <u>1081 WHITNEY RANCH DRIVE, SUITE # 141</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>(702)365-3600</u> CELL: _____ E-MAIL: <u>SDCarter1@drhorton.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702)873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-29-406-003, 004 and 177-29-403-001  
 PROPERTY ADDRESS and/or CROSS STREETS: DEAN MARTIN DRIVE and FRIAS AVENUE  
 PROJECT DESCRIPTION: A 209 LOT RESIDENTIAL DEVELOPMENT

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

Property Owner (Signature)\* [Signature]      Phil Bailey  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 12/16/21 (DATE)  
 By Phil Bailey  
 NOTARY PUBLIC: Yvette R. Bailey



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

January 03, 2022, Revised January 25, 2022, Revised March 21, 2022  
W.O # 8053

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

Attention: Planning Department

Subject: DEAN MARTIN-FRIAS  
1. Waiver of Development Standards

RE: APN's 177-29-403-001, 177-29-406-003, and -004 – 22.50+- Gross Acres

Planning Department:

On behalf of our client DR Horton, VTN Nevada is requesting the approval of a Waiver of Development Standards application for the above referenced parcels. DR Horton is proposing to develop the subject parcels of land as a 209-Lot residential development with a zoning designation of RUD (Residential Urban Density District) and land designations of MN (Mid-Intensity Suburban Neighborhood) within the Enterprise Land Use planning area, Commissioner Justin Jones's district.

The proposed single-family residential development is located west of Dean Martin Drive and south of Frias Avenue.

**Project Information:**

The project consists of a 22.50± acre (gross) residential development, located at the southwest corner of Frias Avenue and Dean Martin Drive. The site consists of three (3) parcels under single ownership as follows:

1. 177-29-403-001
2. 177-29-406-003
3. 177-29-406-004

The sites are currently zoned RUD (Residential Urban Density) and are within the Enterprise Land Use Plan area.

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

- South: C-1 (Local Business) and C2 (Commercial General) – CG (General Commercial- Land Use); C-1 (Local Business District); CN (Commercial Neighborhood) - RE (Rural Estates Residential)
- West: RE (Rural Estates Residential) and C2 (Commercial General) - RS (Residential Suburban) and CN (Commercial Neighborhood)
- North: RE (Rural Estates Residential) and RD (Suburban Estates Residential Estates) – RL (Residential Low)
- East: RE (Rural Estates Residential) - C2 (Commercial General) – Residential Suburban) and CG (Commercial General)

**The Project**

The proposed 209-lot residential subdivision will be constructed on vacant land located south of Frias Avenue and west of Dean Martin Drive. The plans depict a proposed single-family residential development consisting of 209 residential lots on approximately 22.50± acres for an overall density of 9.30 dwelling units per gross acre. The proposed project consists of 1 lot type as follows:

1. Lot Size @ 35' x 80' (2,800 sf. per RUD) = 209 Lots (100 %)

Note: Some Lot depths vary greater than the 80-foot minimum.

**Product**

The proposed single-family detached lot sizes range from 2,800 square feet to 4,193 square feet for an average lot size of 3,055 square feet.

**1. Waivers of Development Standards**

**Waiver # 1**

- a. To allow a reduction of the rear yard setbacks from the minimum 15 feet to a minimum of 10 feet for the following lots:
  - 1. Lot # 16 and 17 from 15 feet to minimum of 13.0 feet. (A 13% reduction)
  - 2. Lot # 26 and 36 from 15 feet to a minimum of 10.0 feet. (A 33% reduction)
  - 3. Lots 46 thru 127 from 15 feet to a minimum of 10.00 feet. (A 33.34% reduction)
  - 4. Lots 130 thru 188 from 15 feet to a minimum of 10.00 feet (A 33.34% reduction)

**Total (135 Lots) or 64.6%**

**Note:**

The following lots currently meet the minimum rear yard setback of 15 feet minimum:

- 1. Lots 1-15 (25 Lots)
- 2. Lots 18 thru 25 (8 Lots)
- 3. Lots 27 thru 35 (9 Lots)
- 4. Lots 37 thru 45 (9 Lots)
- 5. Lots 128 and 129 (2 Lots)
- 6. Lots 189 thru 209 (21 Lots)

**Total (74 Lots) or 35.4%**

**Justification**

The applicant finds that the reduction of the rear yard setback request will not have a detrimental impact upon the community as the dimensional standard will be offset by design factors. First, the rear yard condition will not result in less than 20 feet between one home to another. Second, the overall site design and lot dimensions are a result of topographic and site constraints that compressed the site and to compensate some additional open space was provided and interconnected through a thoughtfully placed central corridor leading to an amenitized open space area. And third, all homes will include a minimum 20-foot driveway to complement the garage by providing additional off-street parking. Additionally, the homes along Frias Avenue have exceptionally long driveways complemented by a meandering sidewalk creating an interesting and comfortable pedestrian realm.

The project was approved as ZC-20-0574 / TM-20-500199 / VAC-20-0575 at the March 3, 2021, Board of County Commissioners meeting.

The applicant believes that the waivers are necessary when developing detached single-family dwelling units in the RUD district.

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

Sincerely,

*Jeffrey Armstrong*  
Jeffrey Armstrong  
Planning Manager

cc:

Scott Dwight Carter, DR Horton  
Dave Edwards PE, VTN Nevada



06/08/22 BCC AGENDA SHEET

SIGNS  
(TITLE 30)

CACTUS AVE/POLARIS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-22-0193-SA-CAC-DM, LLC:**

**DESIGN REVIEW** for signs in conjunction with a previously approved vehicle maintenance facility on 0.9 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Cactus Avenue and the east side of Polaris Avenue within Enterprise. JJ/nr/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
177-29-410-004

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

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

- Site Address: 3340 W. Cactus Avenue
- Site Acreage: 0.9
- Project Type: Signs
- Square Feet: 252

**Site Plans**

The plans show an approved vehicle maintenance facility with parking located on the north and east sides of the site. The site has access from Cactus Avenue.

**Landscaping**

Landscaping is not a part of this request.

**Signage**

The plan shows 2 signs for the vehicle maintenance facility. Both signs are 126 square feet in size and will be located on the south and the east sides of the building.

**Applicant's Justification**

The applicant indicates that the design review is a condition of approval for ZC-18-0930. The proposed signs do not require any waivers of development standards. The applicant indicates that the proposed signage is consistent with the surrounding area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-20-0126	Patent easements	Approved by ZA	April 2020
TM-20-500037	Commercial subdivision	Approved by ZA	April 2020
WS-19-0611	Commercial development	Approved by PC	October 2019
ZC-18-0930	Reclassified from R-E to C-2 zoning for an auto maintenance and tavern with waivers for access by requirements	Approved by BCC	February 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood	RUD	Residential subdivision
South	Mid-Intensity Suburban Neighborhood	R-E	Single family residential
East	Corridor Mixed-Use	C-2	Restaurant & retail sales
West	Corridor Mixed-Use	C-1	Convenience store with gasoline station

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff does not object to the applicants proposed design for signage in conjunction with the vehicle maintenance facility. The submitted plans reflect proposed signs that are harmonious to the overall development and are architecturally compatible to the building. Staff recommends 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:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MARK WHITEHOUSE**

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





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 20A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE  <input type="checkbox"/> CONFORMING (ZC)  <input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)  <input checked="" type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: _____ DATE FILED: _____</p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: _____ TAB/CAC DATE: _____</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: _____</p> <p>FEE: _____</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>SA-CAC-DM LLC</u></p> <p>ADDRESS: <u>6725 S. Eastern Avenue #2</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u></p> <p>E-MAIL: <u>asif@activecre.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Active Commercial Realty</u></p> <p>ADDRESS: <u>6725 S. Eastern Avenue #2</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u></p> <p>E-MAIL: <u>asif@activecre.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Mark Whitehouse</u></p> <p>ADDRESS: <u>820 S. Wigwam Parkway # 100</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>702-336-3336</u> CELL: <u>702-336-3336</u></p> <p>E-MAIL: <u>mwhitehouse@highimpact</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-294-10-004

PROPERTY ADDRESS and/or CROSS STREETS: 3340 W Cactus Avenue, Las Vegas NV 89141

PROJECT DESCRIPTION: Required Sign Design Review for Public Hearing per conditions on land use.

(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.

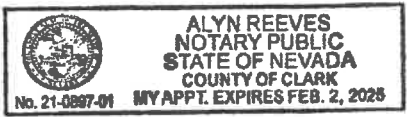
*Asif* \_\_\_\_\_  
Property Owner (Signature)\*

ABDUS ASIF \_\_\_\_\_  
Property Owner (Print)

STATE OF Nevada COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1-20-22 (DATE)

By *Alyn Reeves* \_\_\_\_\_  
NOTARY PUBLIC:



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



Date: January 26, 2022

To: Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas NV 89155

Applicant: Sun Auto Service

Contact: Mark Whitehouse, High Impact Sign & Design

Re: Design Review for Public Hearing

To whom it may concern.

We respectfully request the approval of a design review for the sign package for an already approved automobile repair service shop project, Sun Auto Center, located at 3340 West Cactus Rd. Las Vegas NV 89139. The signage is compliant with title 30.72 and there are no waivers being requested.

There are two (2) signs that will be installed, each sign will be 126 square feet each for a total of 252 square feet. We are requesting no waivers at this time.

In closing the signage is consistent with what is in the surrounding area, and it will not negatively affect the surrounding neighborhood.

We thank you in advance for your consideration of this request.

Regards,  
Mark Whitehouse  
(702) 336-3336

820 Wigwam Parkway, Ste 100  
Henderson, NV 89014  
(702) 736-7446 office  
(702) 644-0678 fax  
[www.highimpactsign.com](http://www.highimpactsign.com)

06/08/22 BCC AGENDA SHEET

VEHICLE MAINTENANCE (SMOG)  
(TITLE 30)

RAINBOW BLVD/CACTUS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-22-0228-MEQ-CACTUS & RAINBOW, LLC:**

**DESIGN REVIEW** for a vehicle maintenance (smog testing) facility on a 0.1 acre portion of a 4.7 acre shopping center in a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone in the Mountain's Edge Master Planned Community.

Generally located on the northwest corner of Rainbow Boulevard and Cactus Avenue within Enterprise. JJ/bb/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-27-823-010

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.1 (portion of 4.7 acre shopping center)
- Project Type: vehicle maintenance (smog hut)
- Number of Stories: 1
- Building Height (feet): Up to 15
- Square Feet: 108 (smog hut)
- Parking Required/Provided: 159/164

**Site Plans**

The plans depict a proposed smog hut located in an existing shopping center. Phase I of the shopping center was approved by ZC-17-0126, and WS-0656-17 in 2017 for a convenience store with a gasoline station, vehicle wash, restaurant with drive-thru, and retail building. The plans submitted with this request depict a single smog hut located on the south side of the shopping center on a small lot that includes 6 existing parking spaces. Two of the existing parking spaces will be removed and replaced with the smog hut. Two parking spaces will remain on each side of the smog hut (2 on the west and 2 on the east). Parking is equitably distributed throughout the site with the majority of the parking spaces shown in the middle of the shopping center site. Two access points are shown from Rainbow Boulevard and Cactus Avenue. The future fast food

restaurant building (Phase III) is located near the center of the site along Rainbow Boulevard. The smog hut will be located over 60 feet from the Cactus Avenue access driveway, and over 10 feet from the Cactus Avenue property line.

Landscaping

The plans depict an approximate 20 foot wide landscape area with a detached sidewalk on Rainbow Boulevard and a 25 foot wide landscape area with a detached sidewalk along Cactus Avenue. Interior to the site, existing landscaping is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The proposed building is 1 story, up to 15 feet high, and similar in design with the other phase of the project consisting of colored EIFS, metal coping, painted metal doors, wood framed pilaster, awnings, and aluminum storefront window systems. Existing buildings range in height from 20 feet to 25 feet to the top of parapet walls.

Floor Plans

The plans depict a total building area of 108 square feet (9 feet by 12 feet). The existing shopping center in-line retail buildings have an area of 8,250 square foot each.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing a single 9 foot by 12 foot (108 square foot) smog hut on 0.1 acres in the Mountain's Edge Planned Community. The original zone boundary amendment requires a design review as a public hearing on final plans. Since the shopping center was approved in phases, the proposed smog building has never been approved through any of the previous land use requests (WS-0656-17 & DR-18-0146).

Prior Land Use Requests

Application Number	Request	Action	Date
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



**Prior Land Use Requests**

Application Number	Request	Action	Date
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	Major Development Project - General Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 & RUD	Undeveloped & drainage channel (farther north single family residential)
South	Major Development Project - Medium Residential (up to 18 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 & C-2	Single family residential & tavern
East	Open Lands	M-1	Las Vegas Valley Water District facilities
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Mini-warehouse

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff finds that the proposed smog hut will comply with Commercial Policy 5.5.3 of the Master Plan which encourages small and local businesses. The architectural materials utilized on the exterior of the building creates a cohesive commercial development. Staff recommends adding 2 signs to the 2 parking spaces located on the east side of the smog hut to promote initial parking in those spaces. This will encourage parking and keeping the drive aisle free of traffic. The proposed smog hut is compatible with the existing shopping center, development, and uses. Site access and circulation will not negatively impact the shopping center when considering the relatively quick inspection times related to smog checks; therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Designate 2 spaces on the east side of the smog hut with signs for smog hut parking.
- 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.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MEQ-CACTUS & RAINBOW, LLC**

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



# LAND USE APPLICATION

# 21A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-22-0228</u> DATE FILED: <u>4-12-2022</u> PLANNER ASSIGNED: <u>888</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-10-2022</u> PC MEETING DATE: <u>                    </u> BCC MEETING DATE: <u>6-8-2022</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>MEQ-Cactus &amp; Rainbow, LLC</u> ADDRESS: <u>1437 7th Street, #200</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90401</u> TELEPHONE: <u>(626) 494-6344</u> CELL: <u>(626) 494-6344</u> E-MAIL: <u>kyle@masseq.com</u>
	<b>APPLICANT</b>  NAME: <u>MEQ-Cactus &amp; Rainbow, LLC</u> ADDRESS: <u>1437 7th Street, #200</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90401</u> TELEPHONE: <u>(626) 494-6344</u> CELL: <u>(626) 494-6344</u> E-MAIL: <u>kyle@masseq.com</u> REF CONTACT ID #: <u>N/A</u>
	<b>CORRESPONDENT</b>  NAME: <u>Dionicio Gordillo, DG Consulting</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>

ASSESSOR'S PARCEL NUMBER(S): 176-27-823-010

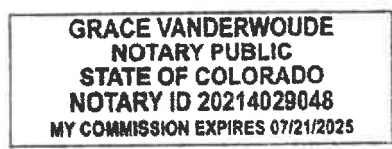
PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Bouievard and Cactus Avenue

PROJECT DESCRIPTION: Freestanding Smog Check Kiosk 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.

[Signature]      Andrew J. Sobel  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Colorado  
 COUNTY OF Jefferson  
 SUBSCRIBED AND SWORN BEFORE ME ON NOV 3 2021 (DATE)  
 By Andrew Sobel



NOTARY PUBLIC: Grace Vanderwoude

\*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**

February 21, 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 Freestanding Smog Check Kiosk**

On behalf of MEQ-Cactus & Rainbow, LLC, we are requesting a design review for a proposed 108 square foot 14.2-foot high, freestanding smog check kiosk in conjunction with an existing shopping center. The subject parcel is 0.05 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.

**Site Plan**

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 kiosk is from an existing driveway on Cactus Avenue. The kiosk is proposed on an existing paved portion of the parking lot within the shopping center and will have a minimum 10 foot setback from the property line. Since access to the site is from two arterial streets, there will be no negative impacts to the surrounding properties. Per the parking data on the site plan, the site has sufficient parking to accommodate the proposed building. The equipment will be stored inside the building when not in use, vehicles will be parked in designated parking spaces, and there will be no smog check activity or stacking of vehicles within any drive aisle. Therefore, we have designed the specific location to eliminate any potential vehicular conflicts.

The proposed smog check kiosk 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. A smog check facility is considered a conditional use for vehicle maintenance in Title 30. The proposed location and kiosk orientation was thoughtfully designed within the shopping center parking lot to eliminate any potential onsite circulation conflicts and comply with all conditions regarding vehicle maintenance. As such, there is no service bay door facing a street, all equipment will be stored within an enclosed building, and there is a minimum separation of 200 feet from the nearest residential use.

**Elevations**

The proposed kiosk structure, which consists of stucco finish with reveals, pilasters, storefront window system with sliding glass doors, and parapet walls, 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 14.2 feet high with parapet walls and with architectural detailing that is provided on all sides consistent with the primary/front elevation.

## D G Consultants

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,

*Dominic Smith*

PLANNER  
COPY



LIQUOR STORE & CONVENIENCE STORE  
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-22-400055 (UC-20-0240)-MEQ-BD & D II, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) alcohol sales, liquor - packaged only (liquor store) not in conjunction with grocery store; 2) convenience store; and 3) gasoline station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for a convenience store; 2) reduce setback for a gasoline station; and 3) alternative driveway geometrics.

DESIGN REVIEW for modifications to an approved shopping center on 3.8 acres in a C-1 (Limited Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise. JJ/jgh/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-21-201-021 through 176-21-201-023

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback for a convenience store from a residential use to 17 feet where 200 feet is the minimum setback per Table 30.44-1 (a 92% reduction).
2. Reduce the setback for a gasoline station from a residential use to 40 feet where 200 feet is the minimum setback per Table 30.44-1 (an 80% reduction).
3. Reduce throat depth for a driveway to 32 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 3.8
- Project Type: Changes to an approved shopping center, including a liquor store, convenience store, and gasoline station
- Number of Stories: 1
- Building Height (feet): Up to 28

- Square Feet: 33,162
- Parking Required/Provided: 166/166

### Site Plan

The previously approved site plan depicts modifications to a previously approved shopping center (ZC-18-0118). The modified shopping center consists of 5 buildings on a linear site with frontage along Blue Diamond Road. Access to the site is provided via cross access with an existing shopping center to the west (consistent with a condition of approval on ZC-18-0118). Also, a new driveway on the east side of the site connects to Blue Diamond Road with a throat depth of 32 feet. Buildings along the north property line are set back a minimum of 12 feet from the adjacent single family residences, and the buildings consist of a liquor store, 2 commercial buildings, and a convenience store. The convenience store is set back 17 feet from the north property line where 200 feet is required and 58 feet from the east property line also where 200 feet is required. Gasoline pumps and a canopy are located south of the convenience store, set back 39 feet from Blue Diamond Road to the south and 40 feet from the single family residences to the east where 200 feet is required from a residential use. A fast food restaurant is located on the southwest portion of the site, set back 27 feet from Blue Diamond Road to the south and 85 feet from the north property line. The drive-thru window is located on the south side of the building, directed away from the adjacent single family residences to the north.

Parking spaces are located throughout the site and between the buildings. Two loading zones are located on the east side of the easternmost commercial building (Pad D), set back 17 feet from the property line to the north. However, the property line wall, an intense landscape buffer, and a second wall separate the loading zones from the single family residences to the north. Two trash enclosures are located at least 50 feet from the north property line as well.

### Landscaping

The previously approved plan shows a 15 foot wide landscape buffer is provided on the south side of the site along the Blue Diamond Road right-of-way, which is set back approximately 45 feet from the existing pavement on Blue Diamond Road. A 12 foot to 17 foot wide intense landscape buffer with 2 rows of off-set large Evergreen trees is provided along the north and east property lines, between the site and the adjacent single family residences. Landscaping is also provided within the parking lot and around the base of the buildings.

### Elevations & Floor Plan

Pad A, located in the northwest portion of the site, is the proposed liquor store. The 6,000 square foot building has an open floor plan, and the elevations extend up to a height of 28 feet at the top of a parapet wall above the entrance. Parapet walls along the roofline vary in height from 20 feet up to 28 feet. Materials include stucco finish, cultured stone veneer, metal awnings, and aluminum storefront windows.

Pad B, located in the southwestern portion of the site, is the proposed fast food restaurant. The 2,612 square foot restaurant includes a dining room, order counter, kitchen, drive-thru service area, kitchen storage, office, restrooms, and an exterior cooler/freezer. Overall elevations extend up to 23 feet high at the top of several parapet walls with cornice decorative treatment. However, most of the building is 20 feet high. Exterior materials include painted stucco, stone



veneer, metal canopies, and fabric awnings. The exterior cooler/freezer is located on the west side of the fast food restaurant, and the cooler/freezer will be pre-manufactured to match the exterior of the building. The building utilizes franchise architecture, but still maintains some similar design elements to the shopping center such as parapet walls along the roofline at various heights, painted stucco, and stone veneer.

Pad C is 11,550 square feet, and Pad D is 10,000 square feet. Both Pad C and Pad D consist of open floor plans for future tenants, and the elevations are similar to Pad A. Parapet walls contain variation along the roofline, with the highest portions at 28 feet. Materials include stucco finish, cultured stone veneer, metal awnings, and aluminum storefront windows.

Pad E is the convenience store, which is 3,000 square feet, and consists of a sales floor, cashier, office, storage room, cooler, freezer, and restrooms. An arched entryway with a 28 foot high standing seam metal roof emphasizes the entrance to the convenience store. Most of the building is approximately 23 feet high to the top of the parapet walls along the roofline. Exterior materials include painted stucco with stone veneer along a portion of the base. Lastly, the gasoline canopy is 20 feet high and includes a metal canopy, painted stucco finish, and a stone veneer base.

As required by the previous land use application (ZC-18-0118), this proposed shopping center will include low level lighting throughout the entire project.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0240:

##### Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Applicant shall reconstruct the deceleration lane with any future improvements to Blue Diamond Road.

- Applicant is advised that the installation of detached sidewalks will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.
- 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 #0245-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates this is the first extension of time, but more time is needed to continue progressing on the project. The applicant needs more time to finalize development plans and to obtain building and grading permits.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-20-0557	Vacated and abandoned easements located between Durango Drive and Cimarron Road	Approved by PC	February 2021
TM-20-500157	1 lot commercial subdivision on 3.7 acres in a C-1 zone	Approved by PC	December 2020
UC-20-0240	Alcohol sales in conjunction with a grocery store	Approved by BCC	August 2020
ET-20-400034 (ZC-18-0118)	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	June 2020
ZC-18-0640	Reclassified 3.8 acres from C-1 to C-2 zoning	Withdrawn	November 2018
ZC-18-0118	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	April 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Compact Neighborhood	R-3	Compact lot & single family residential
South	Compact Neighborhood	H-2 & R-3	Undeveloped & partially constructed condominium development
West	Corridor Mixed-Use	C-2	Shopping center

**Related Applications**

Application Number	Request
ET-22-400056 (ZC-18-0118)	A second extension of time for a proposed shopping center and finished grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff finds that since the approval of ZC-18-0118, the applicant has made progress toward commencing development of the project, the traffic study (PW19-16151) has been approved and the drainage study (PW19-16541) has been submitted to staff. With progress being made toward commencement, staff can support this request for an extension of time.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until April 4, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

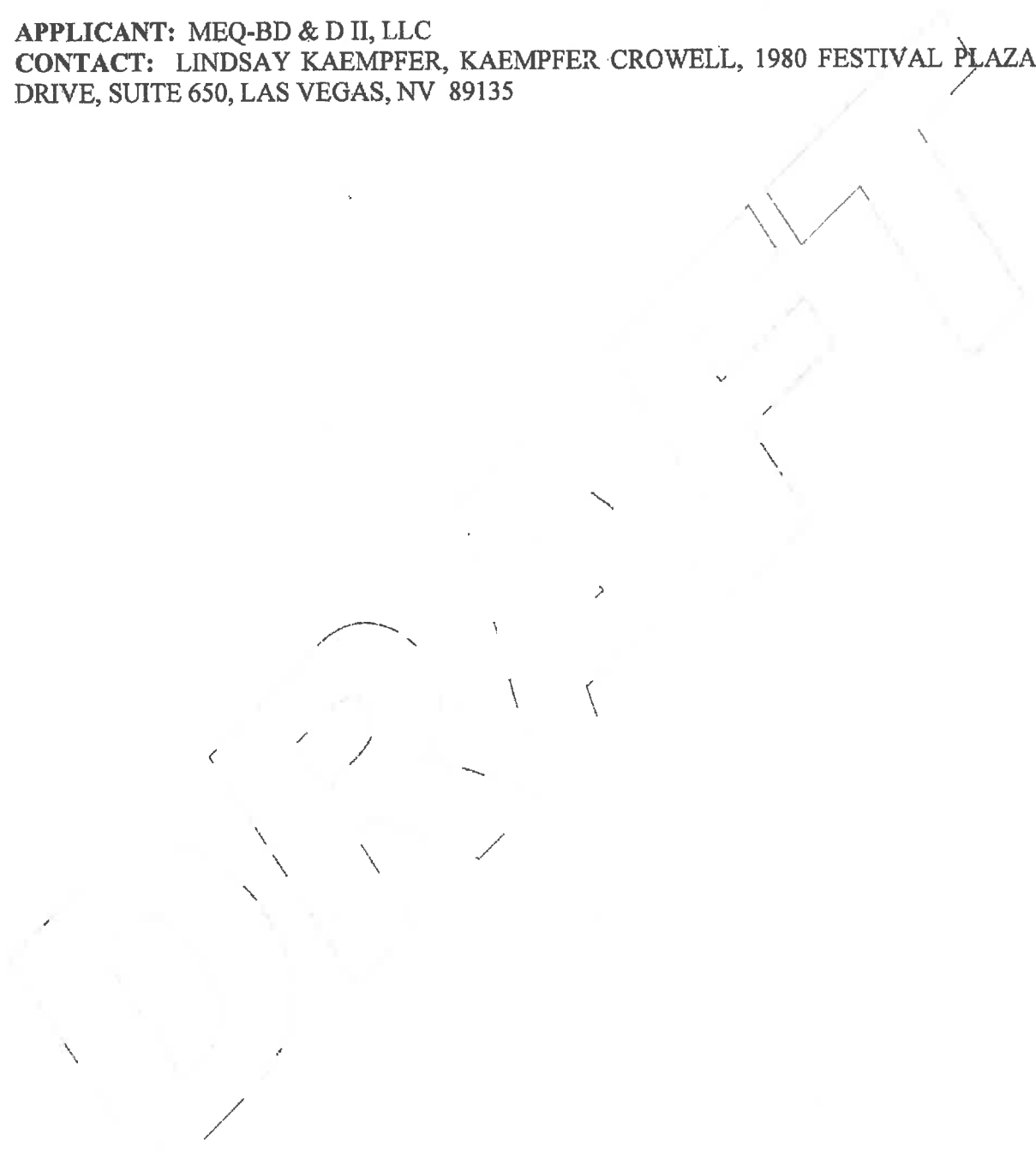
- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTEST:**

**APPLICANT:** MEQ-BD & D II, LLC  
**CONTACT:** LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135





# LAND USE APPLICATION 22A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-20-0240</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b>	DATE FILED: <u>4/4/2022</u> PLANNER ASSIGNED: <u>JGH</u> ACCEPTED BY: _____ FEE: <u>\$900</u> CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ PUBLIC HEARING? Y <input checked="" type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N      PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>ET-22-400055</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>5/11/22</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/8/22</u> ZONE / AE / RNP: _____ PLANNED LAND USE: _____ NOTIFICATION RADIUS: <u>  </u> SIGN? Y <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>MEQ-BD &amp; D II, LLC</u> ADDRESS: <u>21515 Hawthorne Blvd., Suite 200</u> CITY: <u>Torrance</u> STATE: <u>CA</u> ZIP: <u>90503</u> TELEPHONE: <u>310-963-4100</u> CELL: _____ E-MAIL: <u>drew@masseq.com</u>	
	<b>APPLICANT</b>	NAME: <u>MEQ-BD &amp; D II, LLC</u> ADDRESS: <u>21515 Hawthorne Blvd., Suite 200</u> CITY: <u>Torrance</u> STATE: <u>CA</u> ZIP: <u>90503</u> TELEPHONE: <u>310-963-4100</u> CELL: _____ E-MAIL: <u>drew@masseq.com</u> ACA CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Liz Olson - 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: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> ACA CONTACT ID #: <u>166096</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-21-201-021 through 023

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

PROJECT DESCRIPTION: First extension of time for commercial 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)\*

Janie Grajeda  
 Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

\* Please see attached CA notary page.

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

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**JOSEPH E. DAGHER**

[jdagher@kcnvlaw.com](mailto:jdagher@kcnvlaw.com)  
702.792.7000

January 7, 2022

**VIA UPLOAD**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 South Grand Central Parkway, First Floor  
Las Vegas, Nevada 89155

**Re: *Justification Letter – Extension of Time  
ZC-18-0118; UC-20-0240  
Blue Diamond Road/Durango Drive***

Dear sir or madam:

This firm represents MEQ-BD & D II, LLC (the "Applicant") in this matter. The project is located on 3.8 acres on the north side of Blue Diamond Road, east of Durango Drive, bearing Clark County Assessor's Parcel Numbers 176-21-201-021 through 176-21-201-023 (the "Site"). The Applicant seeks an extension of time for the approved shopping center.

By way of background, in April 2018, the Site was reclassified from H-2 to C-1 zoning for a shopping center under ZC-18-0118. A first extension of time for ZC-18-0118 was administratively approved in June 2020 under ET-20-400034 to allow for potential revisions to the Site. In August 2020, the Board of County Commissioners approved UC-20-0240 for a modified shopping center to include a liquor store, convenience store, and gasoline station.

The Applicant now requests a first extension of time for UC-20-0240 and a second extension of time for ZC-18-0118 to allow time to finalize development plans and obtain building and grading permits. The Applicant respectfully requests a two-year extension of time for both applications, to run concurrently until April 4, 2024.

Thank you for your consideration of this request. Please direct any communication regarding this matter to Liz Olson or me.

Sincerely,

KAEMPFER CROWELL



Joseph E. Dagher

**LAS VEGAS OFFICE**  
1980 Festival Plaza Drive  
Suite 650  
Las Vegas, NV 89135  
Tel: 702.792.7000  
Fax: 702.796.7161

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

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

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 \_\_\_\_\_

2 \_\_\_\_\_

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4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

Signature of Document Signer No.1

Signature of Document Signer No. 2 (If any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

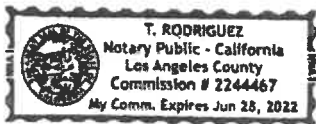
County of Los Angeles

Subscribed and sworn to (or affirmed) before

me on this 24<sup>th</sup> day of Nov, 2021, by

(1) Janie Grayeda

(and (2) \_\_\_\_\_),



Proved to me on the basis of satisfactory evidence to be  
The person(s) who appeared before me.

Signature

Signature of Notary Public

Seal  
Place Notary Seal Above





06/08/22 BCC AGENDA SHEET

SHOPPING CENTER  
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-22-400056 (ZC-18-0118)-MEQ-BD & D II, LLC:

**DESIGN REVIEWS SECOND EXTENSION OF TIME** for the following: 1) a proposed shopping center; and 2) finished grade on 3.8 acres in a C-1 (Limited Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise (description on file). JJ/jgh/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-21-201-021 through 176-21-201-023

**DESIGN REVIEWS:**

1. A proposed shopping center.
2. Increase finished grade for a commercial development to 48 inches where a maximum of 18 inches is the standard per Section 30.32.030 (a 167% increase).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 3.8
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 22
- Square Feet: 28,200
- Parking Required/Provided: 215/220

**Site Plans**

The subject parcels are designated as Commercial General in the Enterprise Land Use Plan. Zone change ZC-18-0118 approved C-1 zoning for the entire site. The approved plans with the design review portion of that request depicted a proposed shopping center consisting of 5 in-line retail buildings. Only 1 of the buildings was the subject of this design review, the remaining 4 in-line retail buildings were shown as future developments. The plot layout of this site shows 4 buildings located approximately 12 feet from the north property line and the remaining building

located near the southeast corner of the property. North and east of this site is a developed compact lot single family subdivision. Parking is equitably distributed throughout the site with most of the parking spaces shown in front of the buildings along Blue Diamond Road. There is a shared access point shown from the property to the west that provides access to Blue Diamond Road.

#### Landscaping

The approved plans depicted 15 feet of street landscaping along Blue Diamond Road. Along the north property line adjacent to the in-line retail buildings, a 10 foot wide intense landscape buffer is shown next to a residential development. The remaining portion of that property line and the entire east property line depicts a single row of trees, approximately 10 feet on center. An existing 6 foot high CMU block wall is shown along the north and east property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover.

#### Elevations

The proposed building is 1 story, and will range in height from 18 feet to 22 feet to the top of the parapet wall. The design consists of colored stucco or EIFS, decorative limestone and slate veneer, painted metal bands, and aluminum storefront window systems.

#### Floor Plans

The approved plans depicted a total building area of 28,200 square feet. The proposed in-line retail building has an area of 9,600 square feet. The plans indicate that the building will be constructed with an open floor plan with areas that will be modified to meet the needs of the future tenants. The future in-line retail buildings range from 5,500 square feet to 14,000 square feet.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400034 (ZC-18-0118):

##### Current Planning

- Until April 4, 2022 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

##### Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-18-0118:

**Current Planning**

- Reduction to C-1 zoning and staff to prepare an ordinance to adopt the zoning;
- Cross access between parcel numbers 176-21-201-021 and 176-21-215-007;
- Design review as a public hearing on future building pad sites;
- Low level lighting throughout the entire project.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- 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;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division.

Applicant's Justification

The applicant indicates more time is needed to finalize development plans and obtain building and grading permits. A 2 year extension is being requested.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-20-0557	Vacated and abandoned easements located between Durango Drive and Cimarron Road within Enterprise	Approved by PC	February 2021
TM-20-500157	1-lot commercial subdivision on 3.7 acres in a C-1 zone	Approved by PC	December 2020
UC-20-0240	Alcohol sales in conjunction with a grocery store	Approved by BCC	August 2020
ET-20-400034 (ZC-18-0118)	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	June 2020
ZC-18-0640	Reclassified 3.8 acres from C-1 to C-2 zoning	Withdrawn	November 2018
ZC-18-0118	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	April 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Compact Neighborhood	R-3	Compact lot & single family residential
South	Compact Neighborhood	H-2 & R-3	Undeveloped & partially constructed condominium development
West	Corridor Mixed-Use	C-2	Shopping center

**Related Applications**

Application Number	Request
ET-22-40055 (UC-20-0240)	An extension of time for a liquor and convenience store with waivers of development standards for setbacks and increased finished grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

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

Staff finds that since the approval of ZC-18-0118, the applicant has made progress toward, commencing development of the project, the traffic study (PW19-16151) has been approved and the drainage study (PW19-16541) has been submitted to staff. With progress being made toward commencement, staff can support this request for an extension of time.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until April 4, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** MEQ-BD & D II, LLC

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





# LAND USE APPLICATION

# 23A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>ZC-18-0118</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	STAFF	DATE FILED: <u>4/4/22</u> PLANNER ASSIGNED: <u>JGH</u> ACCEPTED BY: _____ FEE: <u>\$300</u> CHECK #: _____ COMMISSIONER: _____ OVERLAY(S)? _____ PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>ET-22-400056</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>5/11/22</u> TIME: <u>6PM</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/8/22</u> ZONE / AE / RNP: _____ PLANNED LAND USE: _____ NOTIFICATION RADIUS: _____ SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>MEQ-BD &amp; D II, LLC</u> ADDRESS: <u>21515 Hawthorne Blvd., Suite 200</u> CITY: <u>Torrance</u> STATE: <u>CA</u> ZIP: <u>90503</u> TELEPHONE: <u>310-963-4100</u> CELL: _____ E-MAIL: <u>drew@masseq.com</u>	
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	CORRESPONDENT	NAME: <u>Liz Olson - 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: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> ACA CONTACT ID #: <u>166096</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-21-201-021 through 023  
 PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond and Durango  
 PROJECT DESCRIPTION: First extension of time for commercial 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.

[Signature] Janie Grajeda  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

\* Please see attached CA notary page.

\*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.

ET 22-400036



ATTORNEYS AT LAW

LAS VEGAS OFFICE

JOSEPH E. DAGHER  
jdagher@kcnvlaw.com  
702.792.7000

January 7, 2022

VIA UPLOAD

CLARK COUNTY COMPREHENSIVE PLANNING  
500 South Grand Central Parkway, First Floor  
Las Vegas, Nevada 89155

**Re: Justification Letter – Extension of Time  
ZC-18-0118; UC-20-0240  
Blue Diamond Road/Durango Drive**

Dear sir or madam:

This firm represents MEQ-BD & D II, LLC (the “Applicant”) in this matter. The project is located on 3.8 acres on the north side of Blue Diamond Road, east of Durango Drive, bearing Clark County Assessor’s Parcel Numbers 176-21-201-021 through 176-21-201-023 (the “Site”). The Applicant seeks an extension of time for the approved shopping center.

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Thank you for your consideration of this request. Please direct any communication regarding this matter to Liz Olson or me.

Sincerely,  
KAEMPFER CROWELL

Joseph E. Dagher

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



**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE §8202**

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer(s), *not* Notary)

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\_\_\_\_\_  
Signature of Document Signer No.1

\_\_\_\_\_  
Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

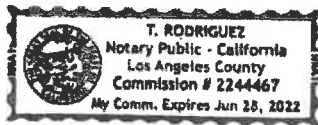
County of Los Angeles

Subscribed and sworn to (or affirmed) before

me on this 24<sup>th</sup> day of Nov, 2021, by

(1) Janie Grayeda

(and (2) \_\_\_\_\_),



Proved to me on the basis of satisfactory evidence to be  
The person(s) who appeared before me.

Signature   
Signature of Notary Public

Seal  
Place Notary Seal Above



HOUSEHOLD PETS  
(TITLE 30)

IRVIN AVE/PLACID ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0204-SOUTHERN NEVADA BEAGLE RESCUE FOUNDATION:**

**USE PERMIT** to allow additional household pets (dogs) in conjunction with an existing single family residence on 1.1 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the south side of Irvin Avenue, 150 feet west of Placid Street within Enterprise. MN/jgh/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-33-601-008

**USE PERMIT:**

Increase the number of household pets (dogs) to 20 dogs where 3 are allowed and a maximum of 13 may be permitted based on lot area with a special use permit per Table 30.44-1.

**LAND USE PLAN:**

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 285 Irvin Avenue
- Site Acreage: 1.1
- Project Type: Household pets

Site Plan

The plan shows an existing 1,414 square foot single family residence and a 6 foot high block wall that surrounds the property.

Landscaping

The photos show mature landscaping consisting of large trees, a garden in the front yard and ample mature landscaping in the rear yard.

Elevations

The photo depicts a single story house with light stucco exterior.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates this request is being submitted on behalf of Southern Nevada Beagle Rescue Foundation and an increase of household pets is intended for fostering dogs before they find a forever home. The additional dogs, outside of the applicants 3 dogs, are on-site for short periods of time ranging from 24 to 72 hours but the applicant indicates sometimes incoming dogs are fostered for months until they are relocated. The applicant would like to continue offering these services through the nonprofit.

**Prior Land Use Requests**

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

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood	R-E	Single family residential & undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff finds that Title 30 allows the applicant to own up to 13 dogs due to the size of the property upon the approval of a special use permit. Title 30 allows up to 3 household pets without a land use application and an additional 2 household pets are allowed for every 10,000 square feet with a special use permit (the maximum allowed on a property is 20 pets). The applicant's property has a total of 47,916 square feet; therefore, additional household pets may be granted. The applicant has room and proper amenities to support additional dogs. Due to the size of the parcel and considering that the vacant parcels abutting the property will potentially lower neighborhood disturbances; therefore, staff can support the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- No more than 20 dogs/pets allowed.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SOUTHERN NEVADA BEAGLE RESCUE FOUNDATION**

**CONTACT: SOUTHERN NEVADA BEAGLE RESCUE FOUNDATION, 285 IRVIN AVE.,  
LAS VEGAS, NV 89183**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

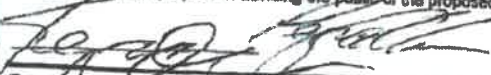
# 24A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-22-0204</u> DATE FILED: <u>4/5/22</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/11/22</u> PC MEETING DATE: _____      6pm BCC MEETING DATE: <u>6/8/22</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Southern Nevada Beagle Rescue Found</u> ADDRESS: <u>285 IRVIN AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702 493-9779</u> CELL: _____ E-MAIL: <u>SNVBeagleRescue@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Regina Harman</u> ADDRESS: <u>285 Irvin Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702 493-9773</u> CELL: <u>702 493-9773</u> E-MAIL: <u>SNVBeagleRescue@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Regina Harman</u> ADDRESS: <u>285 Irvin Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702 493-9773</u> CELL: <u>702 493-9773</u> E-MAIL: <u>SNVBeagleRescue@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-336-01-008  
 PROPERTY ADDRESS and/or CROSS STREETS: 285 Irvin  
 PROJECT DESCRIPTION: use permit for Southern NV Beagle Rescue Foundation

(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)\*  
 REGINA HARMAN  
 Property Owner (Print)

STATE OF Clark Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 3, 2022 (DATE)  
 by Regina Harman

NOTARY PUBLIC: Irina Salkic



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

To whom it may concern:

# PLANNER COPY

UC 22-0204

I live at 285 Irvin Avenue, Las Vegas, Nevada 89183 and run the Southern Nevada Beagle Rescue Foundation, a nonprofit 501(c)3 rescue organization in existence since 2006 and entering 501(c)3 status as of 2011.

I currently live on a 1.1 acre piece of property and have 3 dogs of my own. Regulations recognize 3 dogs and with my acreage, 13 is allowable. I do take multiple dogs into foster care. To start, most of the dogs come through me first for a period of 24-72 hours to be evaluated before being placed into a foster home. Sometimes the dogs depending on needs or availability of space stay with me as my foster dogs. This could mean days or months until a final placement is found.

All dogs see a veterinarian when entering the rescue. All dogs are vaccinated, spayed or neutered and micro chipped. Should any of the dogs require additional medical care, we see to that as well to bring all dogs back to current health.

I am requesting a special use land permit. This is for my nonprofit rescue to continue. It is essential that all dogs come and be evaluated before being placed into a foster and/or forever home. That being said, at times I may have up to 20 dogs on property or as little as 8. As stated before the larger numbers usually indicate a short period of time and assessment. I request the special use permit to allow 20 dogs at one time on property (for the 24-72-hour time frame).

Education for the public is key. We need to enforce spay and neuter laws and educate people on where cost efficient help is available so that their animals are not dumped. We take in dogs that have been abused, neglected, abandoned and just plain dumped from their owners. We work with many other organizations to help train the dogs and have the tools both in education and tools on site to help us maintain the dogs in a safe environment for them as well as the public.

We have all required state and federal designations in good standing and have liability insurance for the rescue as well.

We are not open to the public. Adoption applications are filled out online or at adoption events held in the public view. We complete home checks and ensure potential adopters are a fit for the dog in question and educate them on various entities with the dog, rescue and ownership.

On property, feces are picked up twice daily (at a minimum), bagged and placed in a dumpster for trash removal. Dogs are bathed monthly unless more attention is required on an animal. Therefore, odor is not an issue. Training is put in place and none of the dogs I encounter are excessive barkers. We also have means for other resources to assist such as citronella spray bark collars to help encourage dogs who require extra guidance. Currently, there are no direct neighbors but regardless we strive to teach the dogs discipline and instruction so future problems are not a concern.

Thank you for your consideration on review of my application. Please feel free to contact me with any further questions or concerns.

Sincerely,



Regina Harman  
Southern Nevada Beagle Rescue Foundation  
285 Irvin Ave  
Las Vegas, NV 89183  
702-493-9779



06/22/22 BCC AGENDA SHEET

FUTURE INDUSTRIAL DEVELOPMENT  
(TITLE 30)

DEAN MARTIN DR/AGATE AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0240-PY PROPERTIES, LLC & MTG LIVING TRUST:**

**ZONE CHANGE** to reclassify 5.7 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

Generally located on the east side of Dean Martin Drive and the north side of Agate Avenue (alignment) within Enterprise (description on file). JJ/md/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-20-104-010; 177-20-104-012; 177-20-104-013; 177-20-104-015

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9060 & 9080 Dean Martin Drive
- Site Acreage: 5.7
- Project Type: Future industrial development

**History & Request**

In 2018, the applicant submitted a conforming zone change request to an M-D zoning district with a design review for 2 office/warehouse buildings via ZC-18-0660. The Board of County Commissioners (BCC) conducted a public hearing for ZC-18-0660 in December 2018 and denied the application without prejudice. The applicant subsequently filed an action in state district court. During the litigation, it came to the parties' attention that KB Homes was interested in purchasing the property for a single family residential development, NZC-22-0229, which is a related item on this agenda. As a result, the parties entered negotiations and arrived a Settlement Agreement that was approved in April 2022. The proposed Settlement Agreement includes several contingencies which center on whether or not KB Homes completes the purchase of the property. The agreement requires that the BCC consider and potentially approve 2 zone changes simultaneously, both subject to a resolution of intent, one for single family residential zoning district and the other for the M-D district. If KB Homes completes the purchase of the property, then the Settlement Agreement provides that the property will be zoned for single family residential development and the court case dismissed. Alternatively, if KB

Homes does not complete the purchase of the property, then the subject property will be zoned with the M-D zoning district and the court case dismissed. The applicant is now requesting a conforming zone boundary amendment without plans from an R-E zone to an M-D zone per the requirements of the Settlement Agreement.

Applicant's Justification

The applicant states the conforming zoning change to an M-D zoning district is in accordance with the Settlement Agreement approved by the BCC in April 2022.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AG-22-900179	Settlement Agreement	Approved by BCC	April 2022
ZC-18-0660	Reclassified from R-E to M-D zoning, waivers to reduce throat depth and design reviews for 2 office/warehouse buildings with an increased finished grade	Denied by BCC	December 2018
VS-0183-12	Vacated and abandoned a portion of Agate Avenue - recorded	Approved by BCC	June 2012
WS-0181-12	Appealed the administrative denial of an off-site improvement bond extension of time	Approved by BCC	June 2012
ZC-0336-09	Reclassified the site from R-E to C-2 zoning - expired	Approved by BCC	June 2009
ZC-0616-08	Reclassified to H-1 zoning for a hotel and shopping center	Withdrawn at BCC	August 2008
VS-0617-08	Vacated and abandoned a portion of Agate Avenue - expired	Approved by BCC	June 2008
VS-1063-03	Vacated and abandoned government patent easements on the east half of the site and a driveway that was dedicated as a right-of-way	Approved by PC	September 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Single family residential & place of worship
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & R-2	Undeveloped
East	Entertainment Mixed-Use	H-2 & R-3	I-15, undeveloped with an off-premises advertising sign, & multiple family residential (townhomes) east of I-15
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

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

**Related Applications**

Application Number	Request
NZC-22-0229	A nonconforming zone change to reclassify 8.6 acres to an R-2 zone for a proposed single family residential development is a related item on this agenda.
VS-22-0233	A request to vacate patent easements is a related item on this agenda.
TM-22-500079	A tentative map for a 46 lot single family residential development is a related item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

This is a request for a conforming zone change and staff finds that this application is compatible with the Business Employment land use designation and appropriate for both the project site and the surrounding area. The project site is located immediately adjacent to a collector street, Dean Martin Drive, and south of developed parcels with planned land use designations of Business Employment and Low Intensity Suburban Neighborhood. The Business Employment land use category provides for concentrated areas of employment and ancillary commercial uses, including opportunities for stand-alone office parks or single user campus facilities. Furthermore, the Business Employment category applies to areas where professional and/or warehouse office developments are designed to assure minimal impact on the surrounding areas and land uses. Staff finds the proposed zone change is compatible with the surrounding land uses; therefore, recommends approval subject to a design review as a public hearing on final plans for the project site.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Resolution of Intent to complete in 3 years;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Design Review as a public hearing on final plans.
- 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.

**Public Works - Development Review**

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review;
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PAIGE YAHRAUS**

**CONTACT: PY PROPERTIES, LLC, 621 VIA LINDA CT, LAS VEGAS, NV 89144**



# LAND USE APPLICATION

# 25A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" 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 #)	<b>STAFF</b>  APP. NUMBER: <u>ZC-22-0240</u> DATE FILED: <u>4/13/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/18/22</u> PC MEETING DATE: <u>-</u> <u>5/11/22</u> BCC MEETING DATE: <u>6/22/22 @ 9:00 A.M. (7-6)</u> <u>6:00</u> FEE: <u>\$700 (COUNTY TO PAY LEGAL NOTICE PER SETTLEMENT)</u>
	<b>PROPERTY OWNER</b>  NAME: <u>PY Properties, LLC et al</u> ADDRESS: <u>621 Via Linda Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-460-2559</u> CELL: _____ E-MAIL: <u>paigacyahraus@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>same</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>same</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-20-104-010, 012, 013 & 015  
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin and Agate  
 PROJECT DESCRIPTION: Conforming M-D zone change in conformance with Clark County settlement Agreement

(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.

Paige Yahraus, manager      Paige Yahraus, manager & MTG Living Trust  
 Property Owner (Signature)\*      Property Owner (Print)      Mark Gross, trustee

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON Dec. 21, 2021 (DATE)  
 By PAIGE YAHRAUS, MGR. OF PY PROPERTIES, LLC AND MARK GROSS, TRUSTEE OF MTG LIVING TRUST  
 NOTARY PUBLIC: Linda Quick



\*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.

*PY Properties, LLC and MTG Living Trust*  
621 Via Linda Ct  
Las Vegas, NV 89144  
702-460-2559  
paigcyahraus@gmail.com

December 21, 2021

Clark County Current Planning  
500 Grand Central Parkway  
Las Vegas, NV. 89101

20-22-0240

RE: 177-20-104-010, 012, 013 & 015.  
Justification Letter -Conforming Zone Change to MD

Dear Sir or Madam:

Please accept this letter as our justification letter for a conforming zone change.

**Project Description:**

Conforming zone change from R-E to MD in conformance with settlement agreement with Clark County.

Please contact District Attorney Rob Warhola at 702-455-4761 with any questions or clarifications you may need. Thank you.

Yours truly,



PY Properties, LLC  
Paige Yahraus, manager

PLANNER  
COPY