



ENTERPRISE TOWN ADVISORY BOARD

Please Note New Location Silverado Ranch Community Center

9855 Gilespe St
Las Vegas, NV 89183

May 15, 2024
6:00pm

AGENDA

Note:

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

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

Barris Kaiser, Vice Chair
Chris Caluya

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

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

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

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

- III. Approval of Minutes for May 1, 2024. (For possible action)
- IV. Approval of the Agenda for May 15, 2024 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. **VC-24-0103-BLUE HERON STONEWATER, LLC:**
VARIANCE to reduce the setback for a proposed single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community. Generally located on the southwest side of Heron Fairway Drive, south of Stonewater Lane within Enterprise. JJ/rp/ng (For possible action) **05/21/24 PC**
 - 2. **WS-23-0908-KELLER CACTUS HILLS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for reduced landscaping in conjunction with an existing mixed-use development.
DESIGN REVIEW landscaping and open space in conjunction with an existing mixed-use development on 8.26 acres in a U-V (Urban Village) Zone. Generally located on the east side of Dean Martin Drive, 660 feet south of Cactus Avenue within Enterprise. JJ/bb/ng (For possible action) **06/04/24 PC**
 - 3. **WS-24-0153-WATERBENDER FAMILY TRUST ETAL & LUU JAROM TRS:**
WAIVER OF DEVELOPMENT STANDARDS to increase wall height for an existing single family residence on 0.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Tenaya Way and the north side of Wigwam Avenue within Enterprise. JJ/sd/ng (For possible action) **06/04/24 PC**
 - 4. **DR-24-0147-LOFTS PHASES 2 & 3 LLC:**
DESIGN REVIEW to eliminate the trash area and enclosures where required in conjunction with a previously approved multiple family (condominium) development on 1.25 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Ensworth Street, 320 feet south of Ford Avenue within Enterprise. MN/md/ng (For possible action) **06/05/24 BCC**
 - 5. **TM-24-500037-LOFTS PHASES 2 & 3 LLC:**
TENTATIVE MAP consisting of 15 condominium units and common lots on 1.25 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Ensworth Street, 320 feet south of Ford Avenue within Enterprise. MN/md/ng (For possible action) **06/05/24 BCC**

6. **ET-24-400044 (NVC-21-0037)-LAS VEGAS SILVERADO RANCH ROGER, LLC:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 1.05 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscaping; 2) reduce height/setback ratio; 3) reduce parking; and 4) alternative driveway geometrics.
DESIGN REVIEW for a commercial complex. Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jm/ng (For possible action) **06/05/24 BCC**

7. **WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:**
HOLDOVER WAIVER OF CONDITIONS of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **06/05/24 BCC**

8. **VS-24-0092-SCT SILVERADO RANCH & ARVILLE, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Arville Street located between Silverado Ranch Boulevard and Gary Avenue (alignment) within Enterprise (description on file). JJ/jm/ng (For possible action) **06/05/24 BCC**

9. **ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:**
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: 1) reduce driveway separation; and 2) reduce throat depth for a driveway.
DESIGN REVIEW for a proposed on-premises consumption of alcohol (tavern) on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **06/05/24 BCC**

10. **WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:**
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow attached sidewalk and alternative landscaping; 2) increase wall height; 3) allow non-standard improvements; 4) reduce departure distance; 5) reduce driveway width; and 6) reduce parking.
DESIGN REVIEWS for the following: 1) modification to previously approved tavern; 2) alternative parking lot landscaping; 3) finished grade on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **06/05/24 BCC**

11. **WC-24-400046 (ZC-1926-03)-PALM BEACH RESORT CONDO, LLC:**
WAIVERS OF CONDITIONS of a zone change requiring the following: 1) development be limited to "For Sale" condominiums rather than apartments or commercial; and 2) a 20 foot wide intense landscape buffer be provided along the west and south property lines in conjunction with a multiple family residential development on 6.47 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Serene Avenue, approximately 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/ng (For possible action) **06/05/24 BCC**

12. **UC-24-0158-PALM BEACH RESORT CONDO, LLC:**
USE PERMIT for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) electric vehicle charging spaces; 2) drive aisle length; 3) accessory structure setbacks; and 4) driveway geometrics.
DESIGN REVIEWS for the following: 1) alternative landscaping plan; and 2) affordable multiple family senior housing development on 6.47 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Serene Avenue, approximately 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/ng (For possible action) **06/05/24 BCC**

13. **ZC-24-0143-PAMAKA LAND HOLDINGS, LLC:**
ZONE CHANGE to reclassify 3.85 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Durango Drive and Ford Avenue within Enterprise. (description on file). JJ/jor (For possible action) **06/05/24 BCC**

14. **VS-24-0145-PAMAKA LAND HOLDINGS, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Durango Drive located between Cougar Avenue and Ford Avenue, a portion of a right-of-way being Cougar Avenue located between Durango Drive and Gagnier Boulevard, and a portion of a right-of-way being Ford Avenue located between Durango Drive and Lisa Lane (alignment) within Enterprise (description on file). JJ/jor/ng (For possible action) **06/05/24 BCC**

15. **WS-24-0144-PAMAKA LAND HOLDINGS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards; 2) loading spaces 3) reduce driveway approach distance; and 4) reduce driveway departure distance.
DESIGN REVIEW for a proposed shopping center on 3.85 acres in a CG (Commercial General) Zone. Generally located on the northeast corner of Durango Drive and Ford Avenue within Enterprise. JJ/jor/ng (For possible action) **06/05/24 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 discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: May 29, 2024.

X. Adjournment.

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

Windmill Library – 7060 W. Windmill Lane
Silverado Community Center - 9855 Gilespe St
<https://notice.nv.gov>

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



Enterprise Town Advisory Board

May 1, 2024

MINUTES

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

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

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

Judith M. Rodriguez, 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 10, 2024 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published for April 10, 2024.

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

IV. Approval of Agenda for May 1, 2024 and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended.

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

Applicant requested holds:

8. VC-24-0103-BLUE HERON STONEWATER, LLC: Hold until May 15, 2024 Enterprise TAB meeting

Related applications to be heard together:

1. PA-24-700004-DOGWOOD HICKORY,LLC:
2. ZC-24-0136 -DOGWOOD HICKORY,LLC
3. VS-24-0135-DOGWOOD HICKORY, LLC
4. WS-24-0134-DOGWOOD HIKKORY, LLC
5. TM-24-50034 DOGWOD HICKORY, LLC

13. ZC-24-0112-SHANGOOLY, LLC
14. VS-24-0114 SHANGOOLY, LLC
15. WS-24-0113 SHANGOOLY, LLC
16. TM-24-500029 SHANGOOLY, LLC

17. ZC-24-0119-LV BLUE DIAMOND ROAD, LLC
18. VS-24-0120-LV BLUE DIAMOND ROAD, LLC
19. UC-24-0121-LV BLUE DIAMOND ROAD, LLC
20. TM-24-500031-LV BLUE DIAMOND ROAD, LLC

21. ZC-24-0128-SOUTH DECATUR HOLDING CO, LLC
22. VS-24-0130-SOUTH DECATUR HOLDING CO, LLC
23. UC-24-0129-SOUTH DECATUR HOLDING CO, LLC

- 24.VS-24-0079-STRAIGHT LEASING, LLC
- 25.WS-24-0080 STRAIGHT LEASING, LLC

26. VS-24-0116 COUGAR-JONES INVESTMENTS, LLC
27. WS-24-0115 COUGAR-JONES INVETMENTS, LLC

28. WC-24-400043 (ZC-1122-07) PARACHUTE A B C T, LLC SERIES.V, ET AL
29. VS-24-0132-PARACHUTE A B C T, LLC SERIES V , ET AL
30. WS-24-0131-PARACHUTE A B C T, LLC SERIES V, ET AL

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - **Enterprise TAB Relocation**
Beginning May 15, 2024, our Enterprise TAB meetings will be held at the Silverado Ranch Community Center - 9855 Giles pie St, Las Vegas, NV 89183. TONIGHT IS THE LAST ENTERPRISE TOWN ADVISORY BOARD MEETING AT THE WINDMILL LIBRARY.

- Opening day at the Silverado Community Center- Saturday May 11, 10AM-12PM, 9855 Gilespe St. Join us for the ribbon cutting of Silverado Ranch Community Center. Explore its programs and amenities, and enjoy food from nearby restaurants and vendors.
- Clark County is rapidly growing and our population is changing. Our need for parks is growing too. Although parks and recreational needs are addressed in the recently adopted Transform Clark County Master Plan update (November 2021), a formal study of those needs has not occurred since 1999. That is where the Parks and Recreation Master Plan comes in. This important plan will contain action items and best practice recommendations to assess current and future recreational needs, evaluate feasible options, and develop a road map for enhancing parks and recreation facilities and programs.
<https://ppd.mysocialpinpoint.com/clarkcountyparksplan>

VI. Planning & Zoning

1. **PA-24-700004-DOGWOOD HICKORY, LLC & BENTULAN, ROSS:**
PLAN AMENDMENT to redesignate the existing land use category from Open Lands (OL) to Low-Intensity Suburban Neighborhood (LN) on 8.59 acres. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/gc (For possible action) **05/21/24 PC**

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

2. **ZC-24-0136-DOGWOOD HICKORY, LLC:**
ZONE CHANGE to reclassify 8.59 acres from an RS20 (Residential Single-Family 20) Zone to an RS10 (Residential Single-Family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise (description on file). JJ/jor/ng (For possible action) **05/21/24 PC**

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

3. **VS-24-0135-DOGWOOD HICKORY, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Cactus Avenue and Conn Avenue (alignment) and between Quarterhorse Lane and El Capitan Way and a portion of right-of-way being Cactus Avenue located between Quarterhorse Lane and El Capitan Way within Enterprise (description on file). JJ/jor/ng (For possible action) **05/21/24 PC**

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

4. **WS-24-0134-DOGWOOD HICKORY, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase retaining wall height; 3) finished grade 4) waive full off-sites (curb, gutter, sidewalk, streetlights, and partial paving); 5) allow a non-standard improvement within the right-of-way.
DESIGN REVIEWS for the following: 1) alternative landscape plan; and 2) single family residential development on 8.59 acres in an RS-10 (Residential Single-Family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/jor/ng (For possible action) 05/21/24 PC

Motion by Chris Caluya

Action: **APPROVE**

ADD: Public Works - Development Review condition:

- Have emergency egress at each end of the hammerheads.

Per staff if approved conditions

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

5. **TM-24-500034-DOGWOOD HICKORY, LLC:**
TENTATIVE MAP consisting of 24 single family lots on 8.59 acres in an RS10 (Single-family 10) Zone. Generally located on the southeast corner of Cactus Avenue and Quarterhorse Lane within Enterprise. JJ/jor/ng (For possible action) 05/21/24 PC

Motion by Chris Caluya

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

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

6. **TM-24-500033-TZORTZIS SURVIVOR'S TRUST A ETAL & TZORTZIS, MARIA V. TRS:**
TENTATIVE MAP for 1 lot commercial subdivision on 3.3 acres in a CG (Commercial General) Zone. Generally located on the west side of Las Vegas Boulevard South, 343 feet south of Jonathan Drive within Enterprise. MN/rp/ng (For possible action) 05/21/24 PC

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

7. **UC-24-0108-SUNSETJONES, LLC:**
USE PERMIT for a school (graduate college) within an existing retail and office complex on a 2.2 acre portion of 12.4 acres in a CG (Commercial General) and an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) Overlay. Generally located on the west side of Jones Boulevard and the south side of Sunset Road within Enterprise. MN/dd/ng (For possible action) 05/21/24 PC

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

8. **VC-24-0103-BLUE HERON STONEWATER, LLC:**
VARIANCE to reduce the setback for a proposed single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highland Master Planned Community. Generally located on the southwest side of Heron Fairway Drive, south of Stonewater Lane within Enterprise. JJ/rp/ng (For possible action) **05/21/24 PC**

Applicant requested **HOLD** to Enterprise TAB Meeting on May 15, 2024 per applicant request

9. **VS-24-0122-DIAMOND WINDMILL, LLC:**
VACATE AND ABANDON a portion of right-of-way being Gillespie Street located between Windmill Lane and Shelbourne Avenue within Enterprise (description on file). MN/RG/ng (For possible action) **05/21/24 PC**

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

10. **VS-24-0123-ME 52 PARTNERS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Levi Avenue and Erie Avenue, and between Rainbow Boulevard and Tenaya Way (alignment) within Enterprise (description on file). JJ/tpd/ng (For possible action) **05/21/24 PC**

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

11. **WC-24-400035 (VS-23-0784)-REUVEN YITZHAK:**
WAIVER OF CONDITIONS of a vacation and abandonment of easement requiring a drainage study and compliance. Generally located on the east side of Fairfield Avenue and the north side of Mesa Verde Lane within Enterprise. MN/tpd/ng (For possible action) **05/21/24 PC**

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

12. **ET-24-400023 (UC-22-0012)-BORISA ZEN CENTER INC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** place of worship (meditation room); and **2)** allow an existing carport to not be architecturally compatible to the main residence.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate landscaping adjacent to a less intensive use; **2)** allow alternative landscaping adjacent to an arterial street; **3)** allow alternative landscaping adjacent to a less intensive use; **4)** eliminate trash enclosure; **5)** allow modified driveway geometrics; and **6)** waive full off-site improvements.
DESIGN REVIEW for a place of worship (meditation room) in conjunction with an existing single family residence on 1.0 acre in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Warm Springs Road, 150 feet west of Cameron Street within Enterprise. MN/my/ng (For possible action) **05/22/24 BCC**
- Motion by Justin Maffett
Action: **APPROVE** per staff conditions
Motion **PASSED** (3-0) /Unanimous
13. **ZC-24-0112-SHANGOOLY, LLC:**
ZONE CHANGE to reclassify 2.5 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Gomer Road, 1,000 feet west of Fort Apache Road within Enterprise (description on file). JJ/bb/ng (For possible action) **05/22/24 BCC**
- Motion by Justin Maffett
Action: **APPROVE** per staff conditions
Motion **PASSED** (3-0) /Unanimous
14. **VS-24-0114-SHANGOOLY, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Gomer Road and Le Baron Avenue (alignment), and between Grand Canyon Drive (alignment) and Fort Apache Road within Enterprise (description on file). JJ/bb/ng (For possible action) **05/22/24 BCC**
- Motion by Justin Maffett
Action: **APPROVE** per staff conditions
Motion **PASSED** (3-0) /Unanimous
15. **WS-24-0113-SHANGOOLY, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height in conjunction with a single-family development; **2)** finished grades; and **3)** alternative driveway geometrics.
DESIGN REVIEW for a single-family residential development on 2.5 acres in a RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Gomer Road, 1,000 feet west of Fort Apache Road within Enterprise. JJ/bb/ng (For possible action) **05/22/24 BCC**
- Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

16. **TM-24-500029-SHANGOOLY, LLC:**
TENTATIVE MAP consisting of 15 residential lots and 4 common lots on 2.5 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Gomer Road, 1,000 feet west of Fort Apache Road within Enterprise. JJ/bb/ng (For possible action) **05/22/24 BCC**

Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

17. **ZC-24-0119-LV BLUE DIAMOND ROAD ONE, LLC:**
ZONE CHANGE to reclassify 5.5 acres from H-2 (General Highway Frontage) Zone to CG (Commercial General) Zone. Generally located on the east side of Hualapai Way and the south side of Blue Diamond Road within Enterprise. JJ/lm/ng (For possible action) **05/22/24 BCC**

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

18. **VS-24-0120-LV BLUE DIAMOND ROAD ONE, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue (alignment), and between Hualapai Way and Conquistador Street within Enterprise (description on file). JJ/lm/ng (For possible action) **05/22/24 BCC**

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

19. **UC-24-0121-LV BLUE DIAMOND ROAD ONE, LLC:**
USE PERMITS for the following: 1) vehicle wash; and 2) gas station.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscaping and buffering; 2) parking; 3) residential adjacency standards; and 4) driveway geometrics.
DESIGN REVIEWS for the following: 1) vehicle wash; 2) gas station; and 3) commercial center on 5.5 acres in CG (Commercial General) Zone. Generally located on the east side of Hualapai Way and the south side of Blue Diamond Road within Enterprise. JJ/lm/ng (For possible action) **05/22/24 BCC**

Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

20. **TM-24-500031-LV BLUE DIAMOND ROAD ONE, LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 5.5 acres in CG (Commercial General) Zone. Generally located on the east side of Hualapai Way and the south side of Blue Diamond Road within Enterprise. JJ/lm/ng (For possible action) **05/22/24 BCC**

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

21. **ZC-24-0128-SOUTH DECATUR HOLDING CO, LLC:**
ZONE CHANGE to reclassify 2.6 acres from an RS3.3 (Residential Single-Family 3.3) Zone and an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the south side of Moberly Avenue (alignment) and the east side of Decatur Boulevard within Enterprise (description on file). MN/hw/ng (For possible action) **05/22/24 BCC**

Motion by Chris Caluya
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

22. **VS-24-0130-SOUTH DECATUR HOLDING CO, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive (alignment) and between Moberly Avenue (alignment) and Mesa Verde Lane (alignment) within Enterprise (description on file). MN/hw/ng (For possible action) **05/22/24 BCC**

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

23. **UC-24-0129-SOUTH DECATUR HOLDING CO, LLC:**
USE PERMIT to allow a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) buffering and screening standards; 3) wall height; and 4) residential adjacency standards.
DESIGN REVIEW for a proposed RV storage & mini-warehouse facility on 2.6 acres in a CG (Commercial General) Zone. Generally located on the south side of Moberly Avenue (alignment) and the east side of Decatur Boulevard within Enterprise. MN/hw/ng (For possible action) **05/22/24 BCC**

Motion by Chris Caluya
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

24. **VS-24-0079-STRAIGHT-LINE LEASING, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue, and between Giles pie Street and Placid Street within Enterprise (description on file). MN/nai/ng (For possible action) **05/22/24 BCC**

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

25. **WS-24-0080-STRAIGHT-LINE LEASING, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) off-site improvements on 1.0 acre in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the south side of Eldorado Lane, 145 feet east of Giles pie Street within Enterprise. MN/nai/ng (For possible action) **05/22/24 BCC**

Motion by Kaushal Shah
Action: **DENY**
Motion **PASSED** (2-1) /NAY - Maffett

26. **VS-24-0116-COUGAR-JONES INVESTMENTS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Jones Boulevard and Westwind Road, and between Cougar Avenue and Wigwam Avenue and a portion of a right-of-way being Red Rock Street located between Cougar Avenue and Ford Avenue (alignment) within Enterprise (description on file). JJ/sd/ng (For possible action) **05/22/24 BCC**

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

27. **WS-24-0115-COUGAR-JONES INVESTMENTS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to allow attached sidewalks.
DESIGN REVIEW for an outdoor storage yard on 2.5 acres in an IL (Industrial Light) Zone. Generally located on the south side of Cougar Avenue, 280 feet east of Jones Boulevard within Enterprise. JJ/sd/ng (For possible action) **05/22/24 BCC**

Motion by Justin Maffett
Action: **APPROVE** per staff if approved conditions
Motion **PASSED** (3-0) /Unanimous

28. **WC-24-400043 (ZC-1122-07)-PARACHUTE A B C T, LLC SERIES V, ET AL:**
WAIVERS OF CONDITIONS of a zone change for the following: 1) prior to construction, applicant to build an 8 foot block wall along the east property line to buffer the residents during and after construction; 2) the building will be placed on the west facing property line inward to the parking lot; 3) all lighting shall be below 8 feet in height to prevent any spillover on to the adjacent property; and 4) landscaping shall be minimized along Wigwam Avenue to maintain a line of sight across the property when the tenants are closed in conjunction with a proposed tavern on 0.5 acres in a CG (Commercial General) Zone. Generally located on the northeast corner of Durango Drive and Wigwam Avenue within Enterprise. JJ/jor/ng (For possible action) **05/22/24 BCC**

Motion by Justin Maffett
Action: **DENY** Waivers of Conditions #1, #2 and #3
APPROVE Waivers of Conditions #4
Per staff if approved conditions
Motion **PASSED** (3-0) /Unanimous

29. **VS-24-0132-PARACHUTE A B C T, LLC SERIES V, ET AL:**
VACATE AND ABANDON a portion of a right-of-way being Wigwam Avenue located between Durango Drive and Lisa Lane, and a portion of right-of-way being Durango Drive located between Wigwam Avenue and Camero Avenue within Enterprise (description on file). JJ/jor/ng (For possible action) **05/22/24 BCC**

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

30. **WS-24-0131-PARACHUTE A B C T, LLC SERIES V, ET AL**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) reduce setback; 3) reduce landscape finger island; 4) reduce driveway throat depth; and 5) reduce driveway departure distance.
DESIGN REVIEWS for the following: 1) a proposed restaurant and related services building; and 2) lighting on 0.5 acres in a CG (Commercial General) Zone. Generally located on the northeast corner of Durango Drive and Wigwam Avenue within Enterprise. JJ/jor/ng (For possible action) **05/22/24 BCC**

Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (3-0) /Unanimous

VII. General Business:

1. None.

VIII. Public Comment:

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

- None.

IX. Next Meeting Date

Next Meeting Date: May 15, 2024 at the **Silverado Ranch Community Center** – 9855 Gilesie St, Las Vegas NV 89183.

X. Adjournment:

Motion by Justin Maffett
Action: **ADJOURN** meeting at 7:57 p.m.
Motion **PASSED** (3-0) /Unanimous

05/21/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VC-24-0103-BLUE HERON STONEWATER, LLC:

VARIANCE to reduce the setback for a proposed single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community.

Generally located on the southwest side of Heron Fairway Drive, south of Stonewater Lane within Enterprise. JJ/rp/ng (For possible action)

RELATED INFORMATION:

APN:

191-06-525-004

VARIANCE:

Reduce the side setback for a primary residence to 7 feet 6 inches where 10 feet is required (a 25% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4085 Heron Fairway Drive
- Site Acreage: 0.1
- Project Type: Setback
- Number of Lots: 1

Site Plan, History, & Request

The Southern Highlands major project area created modified development standards that differ from the requirements of Title 29. The standards for this subdivision were approved by ZC-1604-99, which established a side setback requirement of zero feet for 1 side of a lot while maintaining 10 feet for the other side. The house will be 2.5 feet from the lot line that is allowed to be zero feet. This variance is being requested to allow the other side yard setback to be reduced to 7 feet 6 inches on the south side of the lot.

Landscaping

There are no proposed or required changes to the landscaping associated with this application.

Elevations

The elevations are modern looking with stucco finished walls, decorative stone accents, metal staircases, window enhancements on all elevations, and flat rooflines. Also shown on the plans are rooftop decks and third story room additions.

Floor Plan

The plan depicts an option of a 2 or 3 story single family residence on 0.1 acres. The first floor is 1,178 square feet (living area), the second floor is 1,673 square feet, and the third floor is 519 square feet. The different floor plan options depict between 2 through 4 bedrooms and 2.5 through 4.5 bathrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the reason for this request is because the home on Lot 5 has been constructed with the zero foot setback on the lot line between Lots 4 and 5 instead of between Lots 6 and 5.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-21-0416	Reclassified to R-2 zoning and design review for a single family residential development	Approved by BCC	November 2021
TM-21-500126	36 single family residential lots	Approved by BCC	November 2021
VS-21-0417	Vacated and abandoned public drainage easement	Approved by BCC	November 2021
ZC-20-0603	Reclassified to R-3 zoning for an attached single family residential subdivision	Withdrawn by PC	June 2021
VS-20-0604	Vacated and abandoned public drainage easement	Withdrawn by PC	June 2021
TM-20-500203	79 single family residential lots on 5.4 acres	Withdrawn by PC	June 2021
TM-0034-05	1 lot commercial subdivision on 6.1 acres	Approved by PC	February 2005
ZC-0973-03	Reclassified this site and the areas east of this site to C-2 zoning for an office building	Approved by BCC	September 2003
ZC-1604-99	Reclassified 2,299 acres from R-E to R-2, R-4, C-1, C-2, and P-F zoning, all within the P-C zone, with use permits for a golf course and modified development standards, variances for setbacks, waivers for modified improvement standards, and street grid dedication requirements	Approved by BCC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Lots within this same subdivision
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F	Open space & drainage basin

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 29.

Analysis

Comprehensive Planning

The proposed modified development standards will allow the creation of a development that will provide an opportunity for the use of creative design concepts to address community needs and will not jeopardize the welfare of the general area. The reduction of the side setback does not meet the established Code standards. Staff finds that the applicant has not provided evidence that a variance should be approved in this situation. Therefore, staff cannot support the application.

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 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: WESTWOOD PROFESSIONAL SERVICES

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118

DRAFT



Department of Comprehensive Planning Application Form

1A

ASSESSOR PARCEL #(s): 191-06-525-004

PROPERTY ADDRESS/ CROSS STREETS: Stonewater Ln / Southern Highlands Pkwy

DETAILED SUMMARY PROJECT DESCRIPTION

Request for a Special Use Permit is needed due to the unique side yard setbacks for Lots 4 and 5. This request is to allow the option for a minimum side yard setback of 0.0' across the site. The reason for this request is because the home on Lot 5 has been constructed as a model home on the lot line between Lots 4 and 5. This request will maintain a minimum distance of 7.5' between Lots 3 and 4, and 4 and 5.

PROPERTY OWNER INFORMATION

NAME: BLUE HERON STONEWATER L L C
ADDRESS: 7900 W SUNSET RD STE 501
CITY: Las Vegas STATE: NV ZIP CODE: 89118
TELEPHONE: (702) 899-3486 CELL _____ EMAIL: JDamiani@blueheron.com

APPLICANT INFORMATION

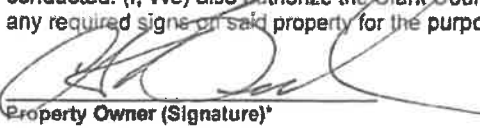
NAME: Matt Burrell - Wallace Morris Kline Surveying, LLC
ADDRESS: 6525 W. Warm Springs Road, Suite 100
CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # _____
TELEPHONE: (702) 212-3967 CELL _____ EMAIL: mburrell@wmksurveying.com

CORRESPONDENT INFORMATION

NAME: Mariah Prunchak - Westwood Professional Services
ADDRESS: 5725 W. Badura Ave., Suite 100
CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # _____
TELEPHONE: 702.284.5300 CELL _____ EMAIL: mproc@westwoodps.com

*Correspondent will receive all project communication

(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 and 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)*

Chris Beucler, President
Property Owner (Print)

3/7/2024
Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER <u>VE</u> |

APPLICATION # (s) VC 24-0103
PC MEETING DATE 5/21/24
BCC MEETING DATE —
TAB/CAC LOCATION Enterprise

ACCEPTED BY RP
DATE 3/27/24

DATE 5/1/24

March 25, 2024

Clark County Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-4000

**Re: Stonewater, a 36 Lot Residential Subdivision
Justification Letter for Side Yard Setback Variance
Westwood Project No. BHN2100-000**

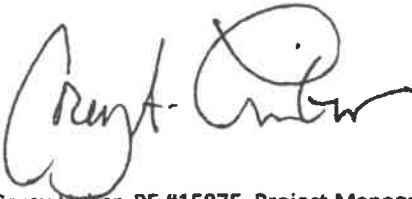
To Whom It May Concern,

Westwood Professional Services, on behalf of our client, Blue Heron Stonewater, LLC, respectfully submits this application for a Variance for the subject project. The project site is approximately 5.4+/- gross acres. This application is limited to APN 191-06-523-004. The project is located in a portion of Section 6, Township 23 South, Range 61 East, M.D.M., Clark County, Nevada.

The project is being developed as a Single Family Detached Residential community. The request for a Variance is to allow for a reduced side yard setbacks for Lot 4 to 2.5' on the north side of the lot while maintaining 7.5' setback on the south side of the lot. The reason for this request is because the home on Lot 5 has been constructed as a model home on the lot line between Lots 4 and 5. Lot 5 is allowed to be plotted as such based on the Southern Highlands development standards since the other side has a 10-foot setback. This request will maintain a minimum distance of 7.5' between Lots 3 and 4, and 4 and 5. The homes on Lots 3 and 6 will be plotted with standard setbacks per code. We believe that 7.5' between buildings is an acceptable distance between homes (with 10.0' being the standard) and all homeowners will have acceptable side yards.

Please feel free to contact me if you have any questions.

Sincerely,
WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, PE #15875, Project Manager

Cc: Joe Damiani, PE - Blue Heron
Mariah Prunchak - Westwood Professional Services

06/04/24 PC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0908-KELLER CACTUS HILLS, LLC:

WAIVER OF DEVELOPMENT STANDARDS for reduced landscaping in conjunction with an existing mixed-use development.

DESIGN REVIEW landscaping and open space in conjunction with an existing mixed-use development on 8.26 acres in a U-V (Urban Village) Zone.

Generally located on the east side of Dean Martin Drive, 660 feet south of Cactus Avenue within Enterprise. JJ/bb/ng (For possible action)

RELATED INFORMATION:

APN:
177-32-111-001; 177-32-111-002

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Waive parking lot landscaping where Figure 30.64-14 is required.
- b. Allow 3 trees for a freeway buffer where 8 trees are required per Figure 30.64-4 (a 63% reduction).

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description

General Summary

- Site Address: 10650 Dean Martin Drive
- Site Acreage: 2.37 (commercial lot)/5.89 (residential lot)
- Number of Units: 210
- Density(du/ac): 25.3
- Project Type: Mixed-use development
- Number of Stories: 4 (residential)/1 (commercial)
- Building Height (feet): 27 (commercial)/12 (detached enclosed parking garages)/53 to 55 (residential)
- Open Space Required/Provided: 1.18 (acres)/1.18 (acres)
- Parking Required/Provided: 362/362 (approved by WS-20-0224)

Site Plans

The plans depict an existing horizontal mixed-use development consisting of the following elements: 1) residential; 2) commercial; 3) open space indoor and outdoor amenity areas; 4) detached, enclosed parking garages; and 5) substantial amounts of useable open space. The

residential component consists of 210 units at a density of 25.3 dwelling units per acre. The commercial component consists of pad sites along the Dean Martin Drive frontage. Access to the site is via driveways along Dean Martin Drive. This project completed construction, and full off-site improvements exist along Dean Martin Drive. A wall was built along the east side of the property adjacent to I-15. They are proposing 18 parallel and two 90 degree parking spaces along the east side of the property adjacent to I-15 where an exercise trail and landscaping exist.

Landscaping

The existing development includes a total of 1.53 acres of open space plus additional open space that was installed on flood channel property at the northwest entrance of the development. Open space consists of the following: 1) 12 foot wide intense landscape buffers with exercise trail and workout stations along the north and south property lines between the property line and parking; 2) a 5 foot to 20 foot wide landscape area remaining adjacent to the east side of the residential building; 3) a 20 foot wide Dean Martin Drive streetscape to match adjacent meandering sidewalk and landscape materials, which is adjacent to an additional 20 foot wide pedestrian realm with seating amenities and other amenity zone provisions; 4) 2 swimming pools connected by a lazy river; 5) 2 spas; 6) 2 dog parks; 7) community center; and 8) passive and active open space within the courtyard area near the pools. The pedestrian circulation plan depicts pedestrian movement and convenient access throughout the site. Additional open space includes terraces, lounge, and outdoor decks.

The plan depicts the conversion of a 0.35 acre portion of the 50 foot wide by 400 foot landscape area (0.46 acre) between the residential building and I-15 right-of-way to 18 parallel and two 90 degree parking spaces, and a 24 foot wide fire access driveway. This includes the loss of 8 required freeway buffer trees and an additional 8 trees that were planted in this area. A landscaped area will remain adjacent to the building. No changes are proposed to the existing wall adjacent to I-15. Freeway buffer landscaping requires 8 trees in this area, which are also considered parking lot trees. The Southern Highlands HOA conducted a development design review of the plans and approved the proposed trees.

Elevations

No changes are proposed to existing elevations.

Floor Plan

No changes are proposed to existing floor plans.

Applicant's Justification

The applicant indicates the request will provide 20 additional parking spaces that are needed to accommodate residents and visitors. The residential portion of the original development was purchased separately from the commercial development. Significant restrictions have been placed on the residential use of the commercial parking spaces by the current owner of the commercial parcel. The 20 new parking spaces will reduce the required number of freeway buffer trees to 3 where 8 are required. The original site plan approval included 1.53 acres of open space where 1.18 acres is required. The remaining open space will serve the area and meet the intent of the mixed-use Code for residents.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0224	Reduced parking to 362 spaces	Approved by BCC	July 2020
WC-20-400051 (ZC-0217-15)	Waiver of conditions for a zone change requiring the restaurant shown on the plans is limited to 2,800 square feet and will be the only food service operation permitted on the property in conjunction with an existing mixed-use development	Approved by BCC	July 2020
TM-19-500124	1 commercial lot and 1 residential lot	Approved by PC	August 2019
DR-18-0950	Signage and lighting	Approved by BCC	January 2019
ZC-0217-15	Reclassified the site to U-V zoning for a horizontal mixed-use development consisting of 212 units and commercial pad sites along Dean Martin Drive	Approved by BCC	June 2015
NZC-0832-13 (WC-0137-14)	Waived conditions of a nonconforming zone boundary amendment related to maximum density	Withdrawn	December 2014
NZC-0832-13	Reclassified the site from R-E to R-3 zoning for a multiple family development	Approved by BCC	September 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped & flood control facility
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	I-15 & Entertainment Mixed-Use	H-1	I-15 & undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Commercial office & retail

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the

immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The proposed plan will make pedestrian access more difficult along the east side of the building and serve the north and south connection for pedestrian access. The proposed plan will force pedestrians to walk on a paved access roadway intended for vehicles. The proposed removal of 5 trees along the interstate would not meet the intent of the freeway buffer requirement found in Title 30. The trees could be maintained, and a landscape strip preserved along the east property line, if the parallel parking spaces were located next to the building. Decreasing the buffer between the residential use and I-15 freeway is not consistent with the Master Plan Policy 1.4.5 dealing with buffers and transitions. If this application is approved, staff finds that the loss of 5 trees needs to be mitigated by planting 5 trees elsewhere on the site in locations to shade parking and drive aisles. Therefore, staff does not support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The addition of 20 parking spaces will improve parking availability for the residential apartments and translate into less of the commercial parking spaces being used for residents. The removal of a pedestrian trail along the east side of the building does not meet the intent of the pedestrian connectivity plan provided with ZC-0217-15. The proposed plan impacts an area of approximately 45 feet by 345 feet between the building and east property line. While the additional parking would not decrease the required open space for the existing apartment use, the loss of trees and a trail, and the location of the parking spaces adjacent to the freeway wall, would promote an undesirable aesthetic adjacent to I-15. The freeway buffer could be maintained if parking were adjacent to the building and located on the west side of the driveway. Therefore, staff does not support this request.

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 Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Plant 5 large trees on the property in locations to provide shade to parking spaces and drive aisles;
- Provide an approved pedestrian connection between the building and the new parking spaces;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACG DESIGN

CONTACT: NATHAN JONES, ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A,
LAS VEGAS, NEVADA 89103



LAND USE APPLICATION

2A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS/DR-23-0908</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>3-5-24</u> BCC MEETING DATE: _____ FEE: <u>5,150</u>	DATE FILED: <u>12-27-2023</u> TAB/CAC DATE: <u>2-28-24!</u>
	PROPERTY OWNER NAME: <u>Keller Cactus Hills, LLC</u> ADDRESS: <u>500 N Marketplace Drive STE 101</u> CITY: <u>Centerville</u> STATE: <u>UT</u> ZIP: <u>84014</u> TELEPHONE: <u>801-773-8629</u> CELL: _____ E-MAIL: <u>jhanks@kip123.com</u>	
	APPLICANT NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-931-2992</u> CELL: <u>N/A</u> E-MAIL: <u>ACGDesignPermits@gmail.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-445-1114</u> CELL: <u>N/A</u> E-MAIL: <u>mthomas@acg.design</u> REF CONTACT ID #: <u>250654</u> <u>254 242</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-32-111-002

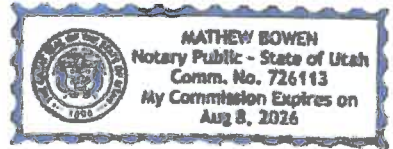
PROPERTY ADDRESS and/or CROSS STREETS: Cactus Ave & Dean Martin

PROJECT DESCRIPTION: Adding Additional Parking, Waive 30.64 - 4 Freeway Landscaping

(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.

Scott C. Keller Scott C. Keller- Manager- Keller Cactus Hills, LLC
 Property Owner (Signature)* Property Owner (Print)

STATE OF UTAH
 COUNTY OF DAVIS
 SUBSCRIBED AND SWORN BEFORE ME ON 5/31/23 (DATE)
 By SCOTT C. KELLER
 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 - 23 - 10/1/86



ARCHITECTURAL CIVIL GROUP
www.ACG.design

September 6, 2023

Clark County – Public Works
500 S Grand Central Pkwy
Las Vegas, NV 89155

RE: Design Review
10650 Dean Martin

APR-23-101186
WSR-23-0908
PLANNER
COPY

To Whom It May Concern,

Please find our attached Design Review Application and package for the above referenced project.

The existing residential apartment building (APN#177-32-111-002) has been purchased separately from the existing commercial property (APN#177-32-111-001). Prior to this sale, restrictions have been put on the residential use of the commercial parking spaces. See attached exhibit A from the approved CC&R's where parking for residential has greatly limited use of these stalls. This has caused significant challenges to the current residents.

We are proposing the following solution to add 20 parallel parking stalls along the eastern property line behind an existing decorative block wall. The existing 24'-0" wide fire access would still be maintained and paved.

Although the parking will reduce the landscape in this area. (4) parking fingers are provided that can accommodate larger sized trees to maintain the landscape visible over the existing privacy wall. Per the original zoning approval provided 1.53 acres of open space with a minimum allowable of 1.29 acres. This would be reduced by .081 with a new total provided open space of 1.44 acres that is still above the minimum allowed.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Kerry Shahan
Principal/Architect
Architectural Civil Group, LLC.
Kshahan@acg.design
(702) 355-9638



9.6.23

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0153-WATERBENDER FAMILY TRUST ETAL & LUU JAROM TRS:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height for an existing single family residence on 0.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the west side of Tenaya Way and the north side of Wigwam Avenue within Enterprise. JJ/sd/ng (For possible action)

RELATED INFORMATION:

APN:

176-15-217-008

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall height to 7 feet 4 inches where a maximum of 6 feet is permitted per Section 30.04.03 (a 22% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8485 S. Tenaya Way
- Site Acreage: 0.51
- Project Type: Wall
- Wall Height: 7 feet, 4 inches

Site Plans

The plans depict an existing single family residence located at the northwest corner of Wigwam Avenue and Tenaya Way. Access is from a private street from Tenaya Way. Currently there is a 6 foot high block wall along the perimeter of the property along Wigwam Avenue and Tenaya Way.

Landscaping

Landscaping is not a part of this request.

Elevations

The photos indicate that the 7 foot 4 inch high block wall will match the existing wall.

Applicant's Justification

The applicant states the request to increase the block wall height is for privacy and noise abatement, as people can see into their kitchen and living room.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0222	Waiver of development standards for rear yard setbacks	Approved by PC	July 2020
WS-18-1004	Lot area and off-site waivers and increased finish grade	Approved by BCC	February 2019
VS-0277-07	Vacated and abandoned patent easements	Approved by PC	April 2007
ZC-1026-05	Reclassified to establish the RNP-I Overlay District	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO) (RNP)	Single family residential
East	Low-intensity Suburban Neighborhood (up to 5 du/ac)	RS5:2	Single family residential

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The adjacent properties all have the same wall height of 6 feet, which is the maximum allowed per Title 30. The applicant has not provided any mitigating measures to limit the potential negative impacts on the neighborhood and has not demonstrated that exceeding the maximum wall height allowed per Title 30 is necessary to address their concerns. The applicant can utilize landscaping, in particular planting trees on the inside of the wall in the applicant's backyard in

conjunction with the existing street landscaping to serve the same function for privacy and noise abatement. Therefore, staff cannot support this request.

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 Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: VICTORIA NGUYEN

CONTACT: VICTORIA NGUYEN, 8485 S. TENAYA WAY, LAS VEGAS, NV 89113



Department of Comprehensive Planning Application Form

3A

ASSESSOR PARCEL #(s): 17015217008

PROPERTY ADDRESS/ CROSS STREETS: 8485 S Tenaya Way Las Vegas NV 89113

DETAILED SUMMARY PROJECT DESCRIPTION

Raise block wall from 5' to 7'4"

PROPERTY OWNER INFORMATION

NAME: Victoria Nguyen
ADDRESS: 8485 S Tenaya Way
CITY: Las Vegas STATE: NV ZIP CODE: 89113
TELEPHONE: _____ CELL 909 380 2046 EMAIL: nguyenvictoria01@gmail.com

APPLICANT INFORMATION (must match online record)

NAME: Victoria Nguyen
ADDRESS: 8485 S Tenaya Way
CITY: Las Vegas STATE: NV ZIP CODE: 89113 REF CONTACT ID # _____
TELEPHONE: _____ CELL 909 380 2046 EMAIL: _____

CORRESPONDENT INFORMATION (must match online record)

NAME: Same as above
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____ REF CONTACT ID # _____
TELEPHONE: _____ CELL _____ EMAIL: _____

*Correspondent will receive all communication on submitted application(s).

(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 and 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)* Victoria Nguyen Property Owner (Print) 4/11/24 Date

DEPARTMENT USE ONLY

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UK | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____ |

APPLICATION # (s) WS-24-0153

ACCEPTED BY RP

PC MEETING DATE 06/4/24

DATE 4/10/24

BCC MEETING DATE _____

FEES \$800

TAB/CAE LOCATION Enterprise

DATE 5/15/24

Justification Letter

APN 17615217008
Owner/Builder: Victoria Nguyen
8485 S Tenaya Way
Las Vegas, NV 89113

WS-24-0153

I am applying for a waiver of development standards to increase the block wall height to 7'4" for safety, privacy and noise abatement. Currently, someone can look into our living room and kitchen from the street view.

The block wall is located within our property lines.

Materials used will be cinder block to match the current color and style with our existing block wall

There will be no changes to the landscape

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-24-0147-LOFTS PHASES 2 & 3 LLC:

DESIGN REVIEW to eliminate the trash area and enclosures where required in conjunction with a previously approved multiple family (condominium) development on 1.25 acres in a CR (Commercial Resort) Zone.

Generally located on the west side of Ensworth Street, 320 feet south of Ford Avenue within Enterprise. MN/md/ng (For possible action)

RELATED INFORMATION:

APN:
177-17-801-003

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 1.25
- Project Type: Multiple family (condominium) development
- Number of Units: 15
- Density (du/ac): 12

History and Request

The Board of County Commissioners (BCC) approved NZC-0914-17 in January 2018 reclassifying the project site to a CR (formerly H-1) zoning district for a proposed multiple family (condominium) development consisting of 15 units on 1.25 acres with a density of 12 units per acre. Waivers of development standards to reduce rear setbacks, allow a 30 foot wide, 2 way driveway, and reduced throat depth were also approved with design reviews for a residential condominium development and to increase finished grade. Two extensions of time for NZC-0914-17 were subsequently approved by the BCC in January 2022 and February 2024. WS-18-0945 was approved by the Planning Commission in January 2019 for an alternative trash enclosure requirement, which allowed curbside pick-up of refuse by Republic Services. This waiver of development standards expired in January 2021 and the applicant is now requesting a design review to eliminate the required trash area and enclosures required for a multiple family development. There are no changes to the previously approved floor plans and elevations associated with NZC-0914-17.

Site Plans

The approved plans depict a multiple family (condominium) development featuring 6 buildings consisting of 15 units on 1.25 acres with a density of 12 units per acre. Access to the development is granted via 2 east/west private stub streets connecting to Ensworth Street, a residential local street. The residential buildings are located on the north and south sides of each private street, with each unit featuring an open space area in the rear yard. No modifications to the approved site plans are proposed with this request.

Landscaping

The approved plans depict a 20 foot wide landscape area along Ensworth Street with a 5 foot wide detached sidewalk. The street landscape area consists of trees, shrubs, and groundcover. Code requires 1,500 square feet of open space where 9,448 square feet of open space is provided, and equitably distributed, throughout the development.

Applicant's Justification

The applicant states that in January 2019, a request to waive the required trash enclosure for the condominium development was approved via WS-18-0945. An extension of time was not requested; therefore, the application expired. The applicant indicates this request is necessary to correspond to the current design review on the property, and has obtained written confirmation from Republic Services stating that they will serve the development in accordance with the Clark County Ordinance for Solid Waste Management, by providing residential toters for trash and recycling. The applicant states future residents will bring toters out to the main streets for service. Therefore, a trash enclosure is not required for the development.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400180 (NZN-0914-17)	Third extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	February 2024
ET-21-400173 (VS-0915-17)	Second extension of time to vacate and abandon easements of interest	Approved by BCC	January 2022
ET-21-400172 (NZN-0914-17)	Second extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	January 2022

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-20-900481 (NZC-0914-17)	First extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by ZA	November 2021
ET-19-400165 (VS-0915-17)	Extension of time to vacate and abandon easements of interest	Approved by BCC	February 2020
WS-18-0945	Alternative trash enclosure - expired	Approved by PC	January 2019
VS-0915-17	Vacated and abandoned easements of interest	Approved by BCC	January 2018
NZC-0914-17	Reclassified the subject site to H-1 zoning with waivers for reduced setbacks and allowed non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	January 2018
TM-0175-17	15 condominium units - expired	Approved by BCC	January 2018
UC-0111-89 (WC-0047-16)	Waived conditions of a use permit requiring the applicant to remove the billboard if the property develops	Approved by PC	June 2016
ADR-0512-14	Converted the south face of an existing off-premises sign (billboard) to a digital display	Approved by ZA	June 2014
ADR-0624-11	Increased the maximum height of an off-premises sign (billboard)	Approved by ZA	June 2011

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CR	Multiple family (condominium) development
South & East	Entertainment Mixed-Use	RM18	Multiple family development
West	Business Employment	IP	I-15 and commercial building

Related Applications

Application Number	Request
TM-24-500037	A tentative map consisting of 15 condominium units is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff typically does not support requests to eliminate the trash enclosure requirement for multiple family developments. However, the applicant has submitted a letter from Republic Services indicating the company can provide refuse collection services to the multiple family development. Per Republic Services, collection is contingent upon residents leaving refuse containers along the main street (Ensworth Street) for waste and recyclable collection, allowing their trucks unencumbered access without having to enter and exit the stub streets serving the development. A similar request was approved for the existing multiple family (condominium) development to the north via ZC-1260-06 by the BCC in December 2006. It was also previously approved for this project via WS-18-0945 but subsequently expired in January 2021; therefore, staff has no objection to this request and recommends approval.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Department of Aviation

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

Fire Prevention Bureau

- 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.

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 #0179-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LOFTS PHASES 2 & 3, LLC

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

24-0147



Department of Comprehensive Planning Application Form

4A

ASSESSOR PARCEL #(s): 177-17-801-003

PROPERTY ADDRESS/ CROSS STREETS: Ford Avenue and Ensworth Street

DETAILED SUMMARY PROJECT DESCRIPTION

Tentative Map and Waiver of Development Standards

PROPERTY OWNER INFORMATION

NAME: Lofts Phases 2 & 3, LLC
ADDRESS: 318 N Carson St. #208
CITY: Carson City STATE: NV ZIP CODE: 89701
TELEPHONE: 000-000-0000 CELL 000-000-0000 EMAIL: N/A

APPLICANT INFORMATION

NAME: Lofts Phases 2 & 3, LLC
ADDRESS: 318 N Carson Street, #208
CITY: Carson City STATE: NV ZIP CODE: 89701 REF CONTACT ID # N/A
TELEPHONE: 000-000-0000 CELL 000-000-0000 EMAIL: N/A

CORRESPONDENT INFORMATION

NAME: Liz Olson - Kaempfer Crowell
ADDRESS: 1980 Festival Plaza Drive. Suite 650
CITY: Las Vegas STATE: NV ZIP CODE: 89135 REF CONTACT ID # N/A
TELEPHONE: 702-792-7000 CELL 702-792-7039 EMAIL: L.Olson@kcrmlaw.com

*Correspondent will receive all project communication

(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. Neil Irwin Manager
Property Owner (Signature)

R. Neil Irwin
Property Owner (Print)

3/9/24
Date

DEPARTMENT USE ONLY

- | | | | | | | |
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| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input checked="" type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input checked="" type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____ |

APPLICATION # (s) DR-24-0147
PC MEETING DATE 6/4/24
BCC MEETING DATE _____
TAB/CAC LOCATION Enterprise

ACCEPTED BY MY
DATE 4/14/24
\$1000

DATE 5/15/24

April 15, 2024

VIA HAND DELIVERY

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

PLANNER
COPY
DL-24-0147

**Re: *Justification Letter – Waiver of Development Standards
Lofts Phases 2 & 3, LLC
APN: 177-17-801-003***

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The project is located on approximately 1.12 acres and is generally located south of West Ford Avenue and east of Ensworth Street. The property is more particularly described as Assessor's Parcel Number 177-17-801-003 (the "Property"). The Property is zoned Commercial Resort (CR) and master planned Business Employment (BE). The Applicant is requesting a waiver of the trash enclosure requirement.

The Property was previously approved in January of 2018 for a nonconforming zone change to allow for fifteen (15) condominium units via application NZC-0914-17. A corresponding design review, special use permit, and waivers to allow for reduced setbacks and non-standard driveway geometrics were also approved.

Three extensions of time for NZC-0914-17 have since been approved, the most recent in February 2024, keeping the entitlements current on the Property today.

In January of 2019, a request to waive the required trash enclosure for the fifteen (15) unit condominium project was approved in conjunction with the approved condominium project via application WS-18-0945. An extension was not requested and the waiver expired.

The Applicant now requests a new waiver of the trash enclosure requirement per Title 30.04.05.D.5, to correspond with the current design review on the Property. The Applicant has obtained written confirmation from Republic Services on March 11, 2024 stating that Republic Services will service the development in accordance with the Clark County Ordinance for Solid Waste Management, by providing residential toters for trash and recycle. Future residents are to bring toters out to the main streets for service. With that, a trash enclosure is not required for the development.

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

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

EEO/ldg

06/05/24 BCC AGENDA SHEET

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-24-500037-LOFTS PHASES 2 & 3 LLC:

TENTATIVE MAP consisting of 15 condominium units and common lots on 1.25 acres in a CR (Commercial Resort) Zone.

Generally located on the west side of Ensworth Street, 320 feet south of Ford Avenue within Enterprise. MN/md/ng (For possible action)

RELATED INFORMATION:

APN:
177-17-801-003

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.25
- Project Type: Multiple family (condominium) development
- Number of Units: 15
- Density (du/ac): 12

Project History & Description

TM-500175-17 was approved by the Board of County Commissioners in January 2018 for a proposed multiple family (condominium) development and expired in January 2022. The plans depict a multiple family (condominium) development featuring 6 buildings consisting of 15 units on 1.25 acres with a density of 12 units per acre. Access to the development is granted via 2 east/west private stub streets connecting to Ensworth Street, a residential local street. The residential buildings are located on the north and south sides of each private street, with each unit featuring an open space area in the rear yard.

Landscaping

The approved plans depict a 20 foot wide landscape area along Ensworth Street with a 5 foot wide detached sidewalk. The street landscape area consists of trees, shrubs, and groundcover. Code requires 1,500 square feet of open space where 9,448 square feet of open space is provided, and equitably distributed, throughout the development.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400180 (NZN-0914-17)	Third extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	February 2024
ET-21-400173 (VS-0915-17)	Second extension of time to vacate and abandon easements of interest	Approved by BCC	January 2022
ET-21-400172 (NZN-0914-17)	Second extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	January 2022
ADET-20-900481 (NZN-0914-17)	extension of time to reclassify from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by ZA	November 2021
ET-19-400165 (VS-0915-17)	Extension of time to vacate and abandon easements of interest	Approved by BCC	February 2020
WS-18-0945	Alternative trash enclosure - expired	Approved by PC	January 2019
VS-0915-17	Vacated and abandoned easements of interest	Approved by BCC	January 2018
NZN-0914-17	Reclassified the subject site from H-2 to H-1 zoning, with a use permit, waivers for setbacks and non-standard driveway geometrics, and design reviews for a residential condominium development and finished grade	Approved by BCC	January 2018
TM-0175-17	15 condominium units - expired	Approved by BCC	January 2018
UC-0111-89 (WC-0047-16)	Waived conditions of a use permit requiring the applicant to remove the billboard if the property develops	Approved by PC	June 2016
ADR-0512-14	Converted the south face of an existing off-premises sign (billboard) to a digital display	Approved by ZA	June 2014
ADR-0624-11	Increased the maximum height of an off-premises sign (billboard)	Approved by ZA	June 2011

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CR	Multiple family (condominium) development

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
South & East	Entertainment Mixed-Use	RM18	Multiple family development
West	Business Employment	IP	I-15 and commercial building

Related Applications

Application Number	Request
DR-24-0147	A design review to eliminate the trash area and enclosures where required in conjunction with an approved multiple family development (condominiums) is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

This request meets the tentative map requirements and standards for approval as outlined in Title 30.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

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 at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- 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.

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 #0179-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LORTS PHASES 2 & 3, LLC

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

24-500037



Department of Comprehensive Planning Application Form

5A

ASSESSOR PARCEL #(s): 177-17-801-003

PROPERTY ADDRESS/ CROSS STREETS: Ford Avenue and Ensworth Street

DETAILED SUMMARY PROJECT DESCRIPTION

Tentative Map and Waiver of Development Standards

PROPERTY OWNER INFORMATION

NAME: Lofts Phases 2 & 3, LLC
ADDRESS: 318 N Carson St. #208
CITY: Carson City STATE: NV ZIP CODE: 89701
TELEPHONE: 000-000-0000 CELL 000-000-0000 EMAIL: N/A

APPLICANT INFORMATION

NAME: Lofts Phases 2 & 3, LLC
ADDRESS: 318 N Carson Street, #208
CITY: Carson City STATE: NV ZIP CODE: 89701 REF CONTACT ID # N/A
TELEPHONE: 000-000-0000 CELL 000-000-0000 EMAIL: N/A

CORRESPONDENT INFORMATION

NAME: Liz Olson - Kaempfer Crowell
ADDRESS: 1980 Festival Plaza Drive, Suite 650
CITY: Las Vegas STATE: NV ZIP CODE: 89119 REF CONTACT ID # N/A
TELEPHONE: 702-792-7000 CELL 702-792-7039 EMAIL: LOlson@kcrwlaw.com

*Correspondent will receive all project communication

(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. Neil Irwin, Manager
Property Owner (Signature)

R. Neil Irwin
Property Owner (Print)

3/9/24
Date

DEPARTMENT USE ONLY

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input checked="" type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input checked="" type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) TM-24-500037

ACCEPTED BY MY

PC MEETING DATE 6/14/24

DATE 4/4/24

BCC MEETING DATE _____

TAB/CAC LOCATION Enterprise

DATE 5/15/24

\$750

April 1, 2024

VIA HAND DELIVERY

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

**Re: *Justification Letter – Tentative Map
Lofts Phases 2 & 3, LLC
APN: 177-17-801-003***

**PLANNER
COPY**

TM-24-500037

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The project is located on approximately 1.12 acres and is generally located south of West Ford Avenue and east of Ensworth Street. The property is more particularly described as Assessor's Parcel Number: 177-17-801-003 (the "Property"). The Property is zoned Commercial Resort (CR) and master planned Business Employment (BE). The Applicant is requesting a tentative map.

The Property was previously approved in January of 2018 for a tentative map and nonconforming zone change to allow for fifteen (15) condominium units via applications TM-500175-14 and NZC-0914-17. A corresponding design review, special use permit, and waivers to allow for reduced setbacks and non-standard driveway geometrics were also approved.

Three extensions of time for NZC-0914-17 have since been approved, the most recent in February 2024, keeping the entitlements current. The tentative map was never recorded and expired. As a result, the Applicant is requesting to reinstate the expired tentative map as previously approved to correspond with the current design review on the Property.

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

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

EEO/ldg

LAS VEGAS OFFICE
1980 Festival Plaza Drive, Suite 650
Las Vegas, NV 89135
T: 702.792.7000
F: 702.796.7181

KAEMPFER

CROWELL

ELISABETH E. OLSON
eolson@kcnvlaw.com
D: 702.792.7000

April 15, 2024

VIA HAND DELIVERY

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

PLANNER
COPY
TM-24-500037

**Re: *Justification Letter – Request to Hold Tentative Map Application
Lofts Phases 2 & 3, LLC
APNs: 177-17-801-003***

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project is located on approximately 1.12 acres and is generally located south of West Ford Avenue and east of Ensworth Street. The property is more particularly described as APN: 177-17-801-003 (the "Site"). The Site is zoned Limited Resort and Apartment District (H-1) and master planned Business Employment (BE). The Applicant is requesting a tentative map, waiver of development standards, and other related extension of time applications as previously approved in conjunction with a residential condominium development.

The Applicant is requesting the tentative map portion of the project be held to the same Board of County Commissioners meeting as the waiver and extension of time applications.

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

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400044 (NZC-21-0037)-LAS VEGAS SILVERADO RANCH ROGER, LLC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 1.05 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone.

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

DESIGN REVIEW for a commercial complex.

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

RELATED INFORMATION:

APN:

177-30-103-004

WAIVERS OF DEVELOPMENT STANDARDS:

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

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.05
- Project Type: Commercial complex

- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 9,911
- Parking Required/Provided: 50/41

Site Plan

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

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

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

Landscaping

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

Landscaping is provided throughout the parking lot. The width of the landscape fingers in the parking lot vary, with 1 landscape finger measuring approximately 3 feet wide, inside of curb to inside of curb. Six feet is the minimum width required for landscape fingers. As a result, a waiver of development standards is necessary to increase the number of parking spaces between landscape fingers and to reduce the width of landscape fingers.

Elevations

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

Floor Plans

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

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-21-0037:

Current Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

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

Applicant’s Justification

The applicant states that due to the pandemic along with issues getting utilities to the site, and Silverado Ranch Boulevard improvements, they have encountered complications. The applicant also states they are waiting for the County to release their bond for the project. They state all the aforementioned factors have delayed their project and are requesting an additional 3 years to design, permit, construct, and complete the project.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-21-0037	Reclassified from R-E to C-2 zoning with waivers for reduced landscaping, parking, and alternative driveway geometrics, and a design review for a commercial complex	Approved by BCC	June 2021
SC-1156-03	Changed Gomer Road to Silverado Ranch Boulevard from Las Vegas Boulevard South to Jones Boulevard	Approved by PC	September 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	PF	Nevada Army National Guard
South	Public Use	PF	Flood control structure
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CG	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Undeveloped

This property is located within the Public Facilities Needs Assessment (PFNA) overlay.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property.

Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

The applicant does not currently have any permits under review or in process with Public Works or Building Department. Since this is the first extension of time, staff can support the request. However, if no further progress is made towards completion of the project, staff may not be able to support future requests for additional extensions of time. Additionally, a new Code has been adopted and the expectation is that the projects comply with the new requirements.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until June 2, 2026 to complete or the application will expire unless extended with approval of an extension of time;
- 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 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: BISMI SERIES HOLDINGS LLC
CONTACT: SAHIL KURJI, 2500 INDIGO DRIVE, MCKINNEY, TX 75072

DRAFT



Department of Comprehensive Planning Application Form

6A

ASSESSOR PARCEL #(s): 177-30-103-004

PROPERTY ADDRESS/ CROSS STREETS: Silverado & Rogers

DETAILED SUMMARY PROJECT DESCRIPTION

NZC-21-0037 was approved as Notice of Final Action on June 2, 2021. We are requesting our 1st extension of time application for 3-years to allow us to finish designing the project, construct and complete the project.

PROPERTY OWNER INFORMATION

NAME: LAS VEGAS SILVERADO RANCH ROGER L L C
 ADDRESS: 13861 Adare Manor Lane
 CITY: Frisco STATE: TX ZIP CODE: 75035
 TELEPHONE: 702-373-2993 CELL 702-373-2993 EMAIL: farus@qafinvestments.com

APPLICANT INFORMATION (must match online record)

NAME: Farus Farmanali
 ADDRESS: 13861 Adare Manor Lane
 CITY: Frisco STATE: TX ZIP CODE: 75035 REF CONTACT ID # 245
 TELEPHONE: _____ CELL 702-373-2993 EMAIL: farus@qafinvestments.com

CORRESPONDENT INFORMATION (must match online record)

NAME: Sahil Kurji
 ADDRESS: 2500 Indigo Drive
 CITY: McKinney STATE: TX ZIP CODE: 75072 REF CONTACT ID # 178832
 TELEPHONE: _____ CELL 469-438-1905 EMAIL: sahil.kurji@gmail.com

*Correspondent will receive all communication on submitted application(s).

(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 and 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.

<i>Farus Farmanali</i>	Farus Farmanali	3/28/2024
Property Owner (Signature)*	Property Owner (Print)	Date

DEPARTMENT USE ONLY

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input checked="" type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADIR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION#(S): <u>ET-24-400044</u>	ACCEPTED BY: <u>Tyler (tpd)</u>
RE MEETING DATE: <u>—</u>	DATE: <u>4/4/24</u>
BY MEETING DATE: <u>6/05/24</u>	FEE: <u>\$1,100.00</u>
TARVAL LOCATION: <u>Enterprise</u>	DATE: <u>5/15/24</u>

March 27, 2024

PLANNER
COPY

Justification Letter – Extension of Time (EOT) #1 Application

NZC-21-0037 | APN #177-30-103-004

Dear Planning Staff,

We are requesting our first Extension of Time (EOT) for our previously approved zoning and waiver/variance requests for the Non-Conforming Zone (NZC) located at Silverado & Rogers which was approved by the Board of County Commissioners (BCC) on June 2nd, 2021.

Since the approval of our project. Like everyone else, we were also impacted by covid challenges. Concurrently, we have been working on getting the utilities to site and waiting until the work that County was involved in improving Silverado Ranch Blvd., which just got completed recently. We are still waiting on getting our bond released from the County on our project.

Therefore, as stated above and as a result the development of the project was delayed. We are respectfully and humbly requesting this additional extension for 3 years to allow us to design, permit, construct and complete the project to its entirety in a timely manner.

We appreciate your support and approval for this extension request.

DocuSigned by:

Farus Farmanali

Dated: March 27, 2024

Farus Farmanali
Manager
Las Vegas Silverado Ranch Roger, LLC.

PLANNING COMMISSION ALA
April 2, 2024 PLANNING COMMISSION MEETING

Withdraw:

- Item #14 – WS-24-0012 – per the applicant. Jon/Moapa

Hold to the April 16, 2024 Planning Commission meeting:

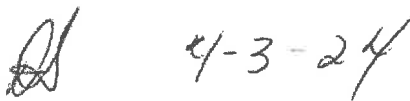
- Item #13 – DR-23-0849 – per the applicant for the FAA 7460-1 height determination. Brady/Enterprise
- Item #26 – UC-23-0867 – per the PC. Applicant was a no-show. Jon/Paradise. Jon, please call the applicant and email them from Accela to ensure they attend the April 16 PC meeting.
- Item #28 – WS-24-0007 – per the PC. Applicant was not prepared. Dane/Sunrise Manor. Dane, please call the applicant and email them from Accela to ensure they understand what they need to bring to the meeting for their presentation. At a minimum, the PC wants to see elevations, photos of the house, and photos of the neighborhood.

Hold to the June 4, 2024 Planning Commission meeting and the May 14, 2024 Paradise TAB meeting:

- Item #27 – WS-23-0920 – per the applicant to work with staff. Renotification fees apply. Brady/Paradise



Jason Allswang
Assistant Planning Manager
04/03/2024



06/05/24 BCC AGENDA SHEET

UPDATE

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:

HOLDOVER WAIVER OF CONDITIONS of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:
177-19-801-020

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: (Phase 1) 45/45/ (Phase 2) 45/43

Site Plan, History & Request

In 2008, the property was rezoned to C-2 (General Commercial) and an application was approved for a future commercial development, and in 2019 a 4,600 square foot tavern with on-premises consumption of alcohol and related waivers of development standards was approved. The approved plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Set forth in the approved application (ZC-0339-08) was a condition to provide cross access and parking easements to the north and east.

In 2022, the adjacent property was approved to be rezoned to Residential Urban Density (RUD) for a single family residential development (NZC-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned RS20, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. Therefore, the applicant has submitted this request to waive the prior conditions for a cross access and parking easements to be provided.

The proposed plans depict access to the site is provided by 1 driveway on Arville Street. The driveway width is 32 feet. Parking for the tavern is located on the northern portion of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

There are 2 sets of site plans included with this application, indicating phase 1 and phase 2. Phase 1 is showing no cross access to the adjacent properties to the north and east in case that property develops as residential.

The applicant anticipates that the portion of the adjacent property immediately to the north of the site may develop as commercial; and therefore, included a site plan indicating phase 2 with cross access provided to the parcel to the north. Providing cross access will eliminate 2 parking spaces, thus requiring a waiver of development standard to reduce on-site parking. An application for the updated design with waivers of development standard, including a waiver for 2 parking spaces elimination with phase 2, is also submitted (WS-23-0709).

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0339-08:

Current Planning

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

Civil Engineering

- Right-of-way dedication to include flaring transitions on Silverado Ranch Boulevard and Arville Street in accordance with Standard Drawing 201.1;
- Drainage study and compliance;
- Construct full off-site improvements;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus-turnout and/or passenger loading/shelter area in accordance with Regional Transportation Commission standards;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Applicant's Justification

In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for the development of a single family residential development (NZC-22-0381). Since then the connectivity between the project and the planned residential use no longer applies to the policies and goals of the Master Plan. The applicant has now submitted this request to waive the prior conditions for a cross access and parking easements.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store & gasoline station

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

Related Applications

Application Number	Request
ET-23-400154 (WS-19-0816)	A second extension of time for a waiver of development standards for on-premises consumption of alcohol is a companion item on this agenda.
WS-23-0709	A waiver of development standards for attached sidewalk, wall height, parking lot landscaping, non-standard improvements, departure distance and to waive driveway width, and design review for a tavern and increased finished grade is a companion item on this agenda.
VS-24-0092	A request to vacate and abandon a portion of a right-of-way being Arville Street between Silverado Ranch Boulevard and Gary Avenue (alignment) is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Conditions

The adjacent property was approved to be rezoned to Residential Urban Density for a single family residential development (NZA-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned RS20, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. The condition will apply if the property develops with residential uses. Should the parcel not be developed with residential uses, the cross access might be required. Therefore, staff still recommends cross access and shared parking be provided should the properties to the north and east be developed with similar commercial uses.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS:

If approved.

Comprehensive Planning

- Cross access and shared parking to be provided to the north and east if developed with similar commercial uses or same levels of intensity and similar parking.

Public Works - Development Review

- 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 #0256-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST: 1 card

COUNTY COMMISSION ACTION: December 20, 2023 – HELD – To 02/07/24 – per the applicant.

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 03/20/24 – per the applicant.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 06/05/24 – per the applicant.

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHRECK, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <i>WS-19-0816</i> (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WC-23-400155</u> DATE FILED: <u>10/11/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/6/23</u></p> <p>FEE: <u>\$475</u></p>
	PROPERTY OWNER	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u></p>
	APPLICANT	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u></p>
	CORRESPONDENT	<p>NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u></p> <p>ADDRESS: <u>100 N. City Parkway, Suite 1600</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u></p> <p>TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020

PROPERTY ADDRESS and/or CROSS STREETS: W. Silverado Ranch Blvd. & Arville

PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

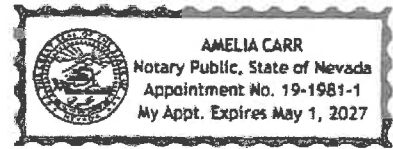
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)

By Jeffrey T. Welch
NOTARY PUBLIC: Amelia Carr



*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.

October 5, 2023

WC-23-400155

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

RE: Justification Letter – Silverado Ranch & Arville Tavern (Waiver of Conditions)
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant is requesting approval of the following, in conjunction with the redesign of a tavern previously approved by application no. WS-19-0816:

Waiver of Conditions to waive the following conditions: a) provide a cross access and parking easement to the north and east per ZC-08-0339; and b) provide a minimum driveway width of 36 feet per WS-19-0816.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102. The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals, subject to the waivers requested herein (the "Project").

The Rezoning Approvals included a condition that a cross access and parking easement to the north and east be provided. Recently, the adjacent property was rezoned to a Residential Urban Density Zone for the development of single family residential development. The Per Table 30.56-2 of the Code, the requirement for cross access is applicable to non-residential land uses that are similar or complementary with consistent levels of intensity and similar parking. Due to the fact that the adjacent land use is no longer an intended residential use, connectivity between the Project and a planned residential use does not satisfy the policies and goals of the master plan. Accordingly, the Applicant requests the prior condition for a cross access and parking easement be waived.

Additionally, per the Tavern Approvals and Section 30.52.050 of the Code, a 36' minimum driveway width from the lip of the gutter to the lip of the gutter is to be provided; however, a 32' driveway width from face of curb to face of curb is the standard per Uniform Standard Drawing 222.1. The Applicant proposes to provide a 32' driveway width from lip of gutter to lip of gutter and 35' from face of curb to face of curb. Similar requests for a 32 feet driveway width have been previously approved where 36 feet is required. Additionally, the driveway dimensions align with the planned parking space and driveway aisle dimensions.

Principal Planner
Clark County Comprehensive Planning Department
October 5, 2023
Page 2

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,



Rebecca L. Miltenberger
Enclosures

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0092-SCT SILVERADO RANCH & ARVILLE, LLC:

VACATE AND ABANDON a portion of a right-of-way being Arville Street located between Silverado Ranch Boulevard and Gary Avenue (alignment) within Enterprise (description on file). JJ/jm/ng (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plan depicts the vacation and abandonment of a 5 foot wide, approximately 73 foot long portion of Arville Street along the west property line. The applicant states they are required to vacate it for detached sidewalks per WS-19-0816.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0392	Vacated and abandoned easements	Approved by PC	September 2023
ET-22-400102 (WS-19-0816)	Extension of time for driveway separation and throat depth, with a design review for on-premises consumption of alcohol	Approved by BCC	October 2022
WS-19-0816	Reduced driveway separation and throat depth with a design review for on-premises consumption of alcohol	Approved by BCC	December 2019
ZC-0339-08	Reclassified from R-E to C-2 zoning	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Business Employment (BE)	RS20	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	RM18	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Neighborhood Commercial (NC)	CG	Convenience store/gas station

Related Applications

Application Number	Request
WS-23-0709	Modifications to a previously approved tavern is a companion item on this agenda.
WC-23-400155 (ZC-0339-08)	Waive a condition requiring cross access is a companion item on this agenda.
ET-23-400154 (WS-19-0816)	Second extension of time for a previously approved tavern is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include a property line radius of 54 feet adjacent to the spandrel;

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

Building Department - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SCT SILVERADO RANCH & ARVILLE LLC

**CONTACT: REBECCA MILTENBERGER, BROWNSTEIN HYATT FARBER SCHRECK,
100 NORTH CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106**



Department of Comprehensive Planning Application Form

8A

ASSESSOR PARCEL #(s): 177-19-801-020
PROPERTY ADDRESS/ CROSS STREETS: Silverado Ranch & Arville

DETAILED SUMMARY PROJECT DESCRIPTION

Vacation of right-of-way to allow for detached sidewalks

PROPERTY OWNER INFORMATION

NAME: SCT Silverado Ranch & Arville LLC
ADDRESS: 1505 S. Pavilion Center Drive
CITY: Las Vegas STATE: NV ZIP CODE: 89135
TELEPHONE: N/A CELL N/A EMAIL: N/A

APPLICANT INFORMATION (must match online record)

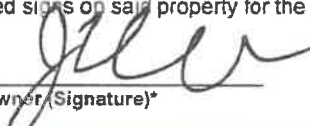
NAME: SCT Silverado Ranch & Arville LLC
ADDRESS: 1505 S. Pavilion Center Drive
CITY: Las Vegas STATE: NV ZIP CODE: 89135 REF CONTACT ID # N/A
TELEPHONE: N/A CELL N/A EMAIL: N/A

CORRESPONDENT INFORMATION (must match online record)

NAME: Rebecca Miltenberger - Brownstein Hyatt Farber Schreck LLP
ADDRESS: 100 North City Parkway, Suite 1600
CITY: Las Vegas STATE: NV ZIP CODE: 89106 REF CONTACT ID # 176001
TELEPHONE: 702-464-7052 CELL N/A EMAIL: Rmiltenberger@bhfs.com

*Correspondent will receive all communication on submitted application(s).

(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 and 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)*

Jeffrey T. Welch, Authorized Signatory
Property Owner (Print)

2/15/24
Date

DEPARTMENT USE ONLY

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input checked="" type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) VS-24-0092
PC MEETING DATE 5-7-24
BCC MEETING DATE _____
TAB/SAC LOCATION ENTERPRISE DATE 4-10-24

ACCEPTED BY RR
DATE 3-12-24
FEES \$1200.00



Brownstein Hyatt Farber Schreck, LLP

702.382.2101 main
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

February 21, 2024

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA ELECTRONIC DELIVERY

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

RE: Justification Letter – Vacation of a Portion of an Existing Right of Way (Book 568, Inst. 527114)
APN: 177-19-801-020

To Whom It May Concern:

We represent SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain real property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"), in connection with the land use application enclosed herewith. The Applicant is requesting to vacate a portion of existing right-of-way conveyed pursuant to that certain Grant, Bargain, Sale Deed, recorded on November 6, 1975, in Book 568 as Instrument No. 527114 in the Office of the County Recorder, Clark County, Nevada, to allow for a portion of detached sidewalks along Arville Street.

The Board of County Commissioners approved application no. WS-19-0816 (as extended to date, the "Prior Approvals"). which required the developer of such to vacate certain rights of way for the installation of detached sidewalks. Concurrently with this application, the Applicant has the following applications pending related to this Property: WS-23-0709, WC-23-400155 and ET-23-400154. In connection therewith, the Applicant hereby submits this request to vacate a portion of excess right-of-way along Arville Street, being 5' in width and approximately 363 square feet, as shown on the site plan and exhibit enclosed herewith. This request is consistent with the Prior Approvals.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,

Rebecca L. Miltenberger

PLANNER COPY

06/05/24 BCC AGENDA SHEET

TAVERN
(TITLE 30)

UPDATE
SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: **1)** reduce driveway separation; and **2)** reduce throat depth for a driveway.

DESIGN REVIEW for a proposed on-premises consumption of alcohol (tavern) on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the departure distance from the driveway to the intersection to 176.5 feet where 190 feet is required along Arville Street per Uniform Standard Drawing 222.1 (a 7.1% reduction).
2. Reduce throat depth for a driveway to 7 feet 11 inches where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 68% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: **(Phase 1) 45/45/ (Phase 2) 45/43**

Site Plans

The previously approved plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Access to the site is provided by 1 driveway on Arville Street. Parking for the tavern is located on the northern portion of the parcel with a future cross access easement provided along the east side of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

The revised plans submitted with companion item WS-23-0709 depict a similar design for a proposed tavern and on-site consumption of alcohol with restricted gaming. Access to the site is provided by 1 driveway on Arville Street. Parking for the tavern is located on the northern portion of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street. The applicant is now requesting to allow an attached sidewalk, to increase wall height, and to reduce departure distance. In addition, the applicant is requesting to reduce the 36 foot minimum driveway width.

In 2022, the adjacent properties were approved to be rezoned to Residential Urban Density for the development of a single family residential development (NZC-22-0381). Since then, the connectivity between the project and a planned residential development is not suited for the project. The applicant has submitted 2 companion application requests. Companion application WC-23-400155 (ZC-0339-08) is to waive the prior conditions for a cross access and parking easements, and WS-23-0709 is a request to waive Title 30 standards for attached sidewalks and alternative landscaping along portions of the streets, retaining wall height, allow non-standard improvements, reduced driveway width, reduced departure distance, and reduce parking; as well as a design review for alternative parking lot landscaping, increased finished grade, and modifications to the previously approved design.

Landscaping

The previously approved plans show an approximate 15 foot wide landscape area with a detached sidewalk along both Arville Street and Silverado Ranch Boulevard, and a 10 foot wide landscape area consisting of trees and groundcover along the north and east property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint. The landscape materials include large trees, shrubs, and groundcover.

Per the waiver of development standards included in the companion application (WS-23-0709), an intense landscape buffer along the north and east property lines is provided. For the 10 parking spaces interior to the site, two islands have been provided at both ends with only one tree provided on the northern island. Although the interior parking lot landscaping doesn't comply with Figure 30.64-14, the trees provided for the site exceed the number of the required trees. Therefore a request for alternative parking lot landscaping is included with that application. The request also includes a waiver to allow attached sidewalks with 10 feet of landscaping, and to locate landscaping in the spandrel area in the southwest corner of the site.

Elevations

The approved building is proposed to be 1 story, with the height of the building varying from 20 feet to 24 feet with elements to break-up the roofline. Materials will consist of colored stucco, decorative cornice molding, and aluminum storefront window system.

Floor Plan

The approved tavern will have an area of 4,600 square feet consisting of a bar, dining area, separate seating area, kitchen, offices, and restrooms.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400102 (WS-19-0816)

Current Planning

- Until December 04, 2023 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 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Silverado Ranch Boulevard and the Silverado Ranch Detention Basin improvement projects;
- Compliance with previous conditions.

Applicant's Justification

The applicant states that the requested extension of time will allow the applicant to work through the necessary project development permitting approvals prior to commencing construction. Concurrently, the applicant has submitted related entitlement requests for the project (WS-23-0709). The applicant hereby requests a second extension of time for WS-19-0816, to allow a 2 year extension to commence construction by December 4, 2025.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store & gasoline station

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

Related Applications

Application Number	Request
WC-23-400155 (ZC-0339-08)	Waiver of conditions to provide cross access and a parking easement is a companion item on this agenda.
WS-23-0709	A waiver of development standards for attached sidewalk, wall height, parking lot landscaping, non-standard improvements, departure distance, and to waive driveway width, and design review for a tavern and increased finished grade is a companion item on this agenda.
VS-24-0092	A request to vacate and abandon a portion of a right-of-way being Arville Street located between Silverado Ranch Boulevard and Gary Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. **The applicant has submitted building permits for the tavern and is making progress towards commencement. In addition, staff supports the request since per the revised Title 30, a use permit is no longer required for a tavern.**

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until June 5, 2026 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Landscaping in right-of-way to be approved by Public Works - Development Review;
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval (Until December 4, 2024 to commence).

APPROVALS:

PROTEST: 1 card

COUNTY COMMISSION ACTION: December 20, 2023 – HELD – To 02/07/24 – per the applicant.

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 03/20/24 – per the applicant.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 06/05/24 – per the applicant.

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHRECK, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



LAND USE APPLICATION 9A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>WS-19-0816</u> (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>ET-23-400154</u> DATE FILED: <u>10/10/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/6/23</u></p> <p>FEE: <u>9300</u></p>
PROPERTY OWNER	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u></p>	
APPLICANT	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u></p>	
CORRESPONDENT	<p>NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u></p> <p>ADDRESS: <u>100 N. City Parkway; Suite 1600</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u></p> <p>TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u></p>	

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020

PROPERTY ADDRESS and/or CROSS STREETS: W. Silverado Ranch Blvd. & Arville

PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

(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)* JEFFREY T. WELCH
Property Owner (Print)

STATE OF Nevada
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)
By Jeffrey T. Welch

NOTAR PUBLIC: Amelia Carr



*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.

October 5, 2023

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

ET-23-400154

RE: Justification Letter – Silverado Ranch & Arville Tavern (Extension of Time - WS-19-0816)
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant hereby requests an extension of time for a second extension of time for WS-19-0816, to allow a two (2) year extension to commence construction by December 4, 2025.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102.

The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals (the "Project"). Concurrently herewith, the Applicant has submitted related entitlement requests for the Project. The requested extension of time will allow the Applicant to work through the necessary Project development permitting approvals prior to commencing construction.

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,



Rebecca L. Miltenberger
Enclosures

Department of Comprehensive Planning

500 S Grand Central Pkwy • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 455-3271

Nancy A. Amundsen, Director

NOTICE OF FINAL ACTION

October 31, 2022

LUCY STEWART
LAS CONSULTING
1930 VILLAGE CENTER CIR, BLD 3 STE 577
LAS VEGAS, NV 89134

REFERENCE: ET-22-400102 (WS-19-0816)

On the date indicated above, a Notice of Final Action was filed with the Clark County Clerk, Commission Division, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five (25) day limitation period specified therein.

The above referenced application was presented before the Clark County Board of County Commissioners at their regular meeting of **October 19, 2022** and was **APPROVED** subject to the conditions listed below. You will be required to comply with all conditions prior to the issuance of a building permit or a business license, whichever occurs first.

Time limits to commence, complete or review this approval, apply only to this specific application. A property may have several approved applications on it with each having its own expiration date. **It is the applicant's responsibility to keep the application current.**

CONDITIONS OF APPROVAL -

Current Planning

- **Until December 04, 2023 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 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

- **30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Silverado Ranch Boulevard and the Silverado Ranch Detention Basin improvement projects;**
- **Compliance with previous conditions.**

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair • JUSTIN C. JONES, Vice Chair
MICHAEL NAFT • MARILYN KIRKPATRICK • TICK SEGERBLOM • ROSS MILLER • WILLIAM MCCURDY II
YOLANDA PARRINO, County Manager

06/05/24 BCC AGENDA SHEET

UPDATE

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:

AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow attached sidewalk and alternative landscaping; 2) increase wall height; 3) eliminate parking lot landscaping (no longer needed); 4) allow non-standard improvements within the right-of-way; 5) reduce departure distance; 6) reduce driveway width; and 7) reduce parking (previously not notified).

DESIGN REVIEWS for the following: 1) modification to previously approved tavern; 2) finished grade; and 3) alternative parking lot landscaping (previously not notified) on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:
177-19-801-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a proposed attached sidewalk with 10 feet of landscaping along a portion of Silverado Ranch Boulevard where a detached sidewalk with landscaping is required per Figure 30.64-17.
- b. Allow an attached sidewalk with 10 feet of landscaping along a portion of Arville Street where a detached sidewalk with landscaping is required per Figure 30.64-17.
2. Increase the retaining wall height to 5 feet (with a 6 foot screen wall on top) where 3 feet retaining wall (with a 6 foot screen wall on top) is the maximum per Section 30.64.050.
3. Eliminate parking lot landscaping where required per Figure 30.64-14 (no longer needed).
4. Allow non-standard improvements (landscaping) within the right-of-way where not permitted per Chapter 30.52.
5. Reduce the departure distance from the driveway to the intersection to 172.9 feet where 190 feet is required along Arville Street per Uniform Standard Drawing 222.1 (a 9% reduction).
6. Reduce the driveway width to 32 feet where 36 feet is required per Uniform Standard Drawing 222 (a 22% decrease).

7. Reduce the parking to 43 parking spaces for phase 2 of the project (with cross access provided to the north) where 45 parking spaces are required per Section 30.04.04 (a 5% reduction) (previously not notified).

DESIGN REVIEWS:

1. Tavern.
2. Allow alternative parking lot landscaping where parking lot landscaping is required per Figure 30.64-14.
3. Increase finished grade to 57 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 59% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: **(Phase 1) 45/45/ (Phase 2) 45/43**

Site Plan & History

In 2008, the property was rezoned to C-2 (General Commercial) and an application was approved for a future commercial development, and in 2019 a 4,600 square foot tavern with on-premises consumption of alcohol and related waivers of development standards was approved. The approved plans depicted a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Set forth in the approved application (ZC-0339-08) was a condition to provide cross access and parking easement to the north and east.

In 2022, the adjacent property was approved to be rezoned to Residential Urban Density (RUD) for a single family residential development (NZC-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned R-E, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. Therefore, the applicant also submitted an application to waive the prior conditions for a cross access and parking easements to be provided (WC-23-400155).

The proposed plans depict access to the site is provided by 1 driveway on Arville Street. The driveway width is 32 feet. Parking for the tavern is located on the northern portion of the parcel.

The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

There are 2 sets of site plans included with this application, indicating phase 1 and phase 2. Phase 1 is showing no cross access to the adjacent property to the north and east in case that property develops as residential.

The applicant anticipates that the portion of the adjacent property immediately to the north of the site may develop as commercial; and therefore, included a site plan indicating phase 2 with cross access provided to the parcel to the north. Providing cross access will eliminate 2 parking spaces, thus requiring a waiver of development standard to reduce on-site parking.

Landscaping

The plan depicts an intense landscape buffer along the north and east property lines. For the 10 parking spaces interior to the site, 2 islands have been provided at both ends with only 1 tree provided on the northern island. Although the interior parking lot landscaping doesn't comply with Figure 30.64-14, the trees provided for the site exceed the number of the required trees. Therefore, a request for alternative parking lot landscaping is included. The request also includes a waiver to allow attached sidewalks with 10 feet of landscaping, and to locate landscaping in the spandrel area in the southwest corner of the site.

Elevations

The plans submitted depict a proposed building at 1 story, up to 24 feet high, consisting of colored stucco, decorative cornice molding, and aluminum storefront window system. The height of the building varies slightly from 20 feet to 24 feet and has been designed to break-up the roofline and enhance the overall look of the building. No changes or alterations are proposed to the approved elevations.

Floor Plan

The tavern has an area of 4,600 square feet consisting of a bar, dining area, separate seating area, kitchen, offices, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this property was recently acquired by a new owner and the applicant intends to develop the property as a tavern, consistent with the original approvals with additional waivers for attached sidewalks, retaining wall height, parking lot landscaping, and departure distance along with a design review for increased grade. No changes are proposed to the approved exterior elevations of the commercial building.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store with gasoline station

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

Related Applications

Application Number	Request
WC-23-400155 (ZC-0339-08)	A waiver of conditions to provide cross access and parking easement is a companion item on this agenda.
ET-23-400154 (WS-19-0816)	An extension of time for on-premises consumption of alcohol is a companion item on this agenda.
VS-24-0092	A request to vacate and abandon a portion of a right-of-way being Arville Street located between Silverado Ranch Boulevard and Gary Avenue is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The applicant has stated in their justification letter they are providing additional landscape areas to off-set any impacts. Also, detached sidewalks will be installed along the majority of the street frontage except in those areas where utility pads exist and accommodating a fully detached sidewalk will require the removal or redesign of the utility pads. In addition, the sidewalks will mirror the development across Durango Street. Therefore, staff can support this request.

Waiver of Development Standards #2

Overall, staff finds that the requested increase in the retaining wall is needed for the proposed drainage of the property. The increase in retaining height permits the matching grading along the exterior of the site, adjacent to the streets and adjacent property. This increase should limit any impacts of the site and prevent drainage storm flow on the surrounding properties. Staff can support this request.

Waiver of Development Standards #6

Staff can support this request as the reduction in onsite parking will only come into effect should cross access be required for those adjacent properties to the north be developed as commercial uses. Currently, these parcels are zoned for single family residential uses, where cross access between residential and commercial uses are strongly discouraged. The adopted planned land use for these adjacent parcels is Business Employment. Should these parcels be re-zoned for non-residential uses, the County will require cross access between the applicants and adjacent parcels. The Code stipulates for nonresidential land uses that are similar or complementary, with consistent levels of intensity and similar parking cross access shall be provided through the recording of perpetual cross access, ingress/egress, and parking easements or agreements with adjacent lots. Staff can support this request.

Design Review #1

The design of the building, with the variations in building height, complies with Urban Specific Policy 19 of the Master Plan, which encourages varying building heights and breaking-up the mass of a building. Staff is recommending the approval of the waivers of development standards and can support the design of the proposed project as presented.

Design Review #2

Staff can support the alternative parking lot landscaping as the required trees will be planted along the perimeter of the property and includes intense landscaping or increased row of trees. Overall trees for the site exceed the required and the waiver is only needed for the 2 internal landscape areas. 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 #4 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 further reducing of the departure distance by less than 4 feet, as the applicant has placed the driveway as far north as the site will allow.

Waiver of Development Standards #5

Staff has no objection to reduce the driveway width for the commercial driveway on Arville Street. The application was conditioned to a traffic study that will address any concerns that maybe the result of the reduced driveway width.

Design Review #3

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

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 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 has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Landscaping in right-of-way to be approved by Public Works - Development Review;
- Comply with approved drainage study PW23-13052;

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

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 #0256-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS: 1 card

COUNTY COMMISSION ACTION: December 5, 2023 – HELD – To 02/07/24 – per the applicant.

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 03/20/24 – per the applicant.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 06/05/24 – per the applicant.

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHRECK, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



LAND USE APPLICATION

10A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-23-0709</u> DATE FILED: <u>10/11/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/6/23</u> FEE: <u>\$ 4,150</u>
	PROPERTY OWNER NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u> ADDRESS: <u>100 N. City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020
 PROPERTY ADDRESS and/or CROSS STREETS: W. Silverado Ranch Blvd. & Arville
 PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

(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.


JEFFREY T. WELCH
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)
 By Jeffrey T. Welch

NOTARY PUBLIC: Amelia Carr



*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.

October 5, 2023

WS 23-0709

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

RE: Justification Letter – Silverado Ranch & Arville Tavern
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant is requesting approval of the following, in conjunction with the redesign of a tavern previously approved by application no. WS-19-0816:

Design Review for the following: a) modifications to WS-19-0816 per the enclosed plans; and b) finished grade in conjunction with a tavern on 0.82 acres in a C-2 (General Commercial District) zone.

Waiver of Development Standards for the following: a) to allow attached sidewalks; b) reduce driveway ~~separation~~ ^{DEPARTURE DISTANCE} to approximately 172' 9"; c) increase the height of the retaining wall to 5' with a 6' screening wall; d) to allow non-standard improvements (landscaping) in the right-of-way; e) eliminate parking lot landscaping; f) eliminate parking lot figure islands; and g) reduce the driveway width to 32'.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102. The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals, subject to the waivers requested herein (the "Project").

The Project will consist of an approximately 4,500 sf. ft. tavern, with restricted gaming including a bar (with 15 slot machines), a restaurant and related back of house facilities as shown on the enclosed plans. The building features varying heights, and will incorporate a textured stucco façade, brick veneer, steel accents and decorative façade features as shown on the enclosed elevation plans.

The Project will include 45 parking spaces, 2 of which will be ADA compliant, in accordance with Table 30.60-1 and Table 30.60-5 of the Clark County Development Code (the "Code"). One loading space will be provided in accordance with Table 30.60-6 of the Code. The throat depth of 12'2" provided in the attached plans will exceed the previously approved throat depth under the Tavern Approvals of 7' 11".

An intense landscape buffer will be provided along the Eastern and Northern property boundary lines as shown on the enclosed landscape plan. The proposed landscaping consists of trees, shrubs and ground cover in accordance with the *Southern Nevada Planning Coalition Regional Plant List*. Landscaping will be provided within the landscape islands at the end of the parking space strips and adjacent to the building.

Design Review: The site was previously approved for a tavern per the Tavern Approvals. The requested design review is for modifications to the prior Tavern Approvals as shown on the enclosed plans. The Applicant is requesting to increase finished grade up to a maximum of 57 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 0.58% increase). The proposed grade of the site will increase to approximately 24 inches as permitted by Code along Arville, however given the grade and slope of the site, an increased grade to 4.7 feet (57 inches) is required which will predominately occur along the eastern boundary.

Waiver of Development Standards:

In connection with the Project, the Applicant is requesting a waiver of the following development standards:

- To allow attached sidewalks where detached sidewalks are required per Section 30.64.030(l)(3) & Figure 30.64-17. The Applicant is proposing to provide approximately 5' sidewalks along S. Arville Street and W. Silverado Ranch Boulevard and an approximately 10' amenity zone with landscaping and trees as shown on the enclosed plans. Moreover, attached sidewalks accommodate an existing utility vault with utility boxes, proposed street lights and additional proposed utilities. The surrounding development existing as of the date hereof has similar attached sidewalks.¹ Accordingly, the Applicant requests a waiver to include attached sidewalks.
- To reduce the driveway separation to approximately 172' 9", a reduction of approximately 3' 9" from the previously approved separation distance of 176' 6" under the Tavern Approvals.
- To increase the height of the retaining wall to 5 feet with a 6 foot screen where 3 feet with a 6 foot screen is permitted by Code. Due to the grade of the Property, a taller retaining wall will be required.
- To allow non-standard improvements (landscaping) in the right-of-way. As required under the Tavern Approvals, a portion of the Property will be dedicated to include a property line radius of 54 feet adjacent to the spandrel, which will be landscaped as shown on the enclosed plans. As such, the Applicant is requesting approval for nonstandard improvements to be located within a right of way.
- To eliminate parking lot landscaping and landscape finger islands within the proposed parking lot on site where Figure 30.64-14 is required. Given the small lot site and the configuration of the proposed parking the Applicant is requesting to waive the required parking lot landscaping and finger islands in order to accommodate the required number of parking spaces per the Code and provide additional landscaping around the site per the enclosed plans.

This site was previously approved for a tavern and the overall design is consistent with the existing Tavern Approvals. The proposed design and requested waivers are consistent with the prior approvals and existing developments in the area.

¹ The neighboring development across Arville Street was similarly approved for attached sidewalks per ZC-20-0236.

Principal Planner
Clark County Comprehensive Planning Department
October 5, 2023
Page 3

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca L. Miltenberger".

Rebecca L. Miltenberger
Enclosures

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-24-400046 (ZC-1926-03)-PALM BEACH RESORT CONDO, LLC:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) development be limited to "For Sale" condominiums rather than apartments or commercial; and 2) a 20 foot wide intense landscape buffer be provided along the west and south property lines in conjunction with a multiple family residential development on 6.47 acres in a CR (Commercial Resort) Zone.

Generally located on the south side of Serene Avenue, approximately 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/ng (For possible action)

RELATED INFORMATION:

APN:

177-20-701-014

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.47 (15.4 total gross acreage with original approval)
- Number of Units: 282 (756 total with original approval)
- Density (du/ac): 43.59 (49 total with original approval)
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 57.5
- Square Feet: 74,774 (footprint)/279,888 (total)
- Open Space Required/Provided: 28,200/35,472
- Parking Required/Provided: 212/251
- Sustainability Required/Provided: 5/4

Plans, History, & Request

The existing site was originally rezoned from an R-T (Manufactured Home Residential) Zone to an H-1 (Limited Resort and Apartment) Zone (currently CR Zone) in January of 2004 through ZC-1926-03 to allow the property to be used for future residential uses, as the property was in the process of being purchased out of the public sector. At the time no plans were submitted, but a 756 residential condominium complex was proposed for the site through UC-0365-04 in April 2004. Only 378 units of the eastern portion of the condominium project were constructed.

The applicant is now requesting to construct a 282 unit affordable multiple family senior housing building on the uncompleted, and since separated, vacant western parcel through their companion application, UC-24-0158. In order to be able to construct the apartments on the site, the condition of ZC-1926-03 allowing only "For Sale" units will need to be waived. In addition, the applicant is proposing a minimum 3 foot wide landscape strip on the western and southern property lines. While the proposed 3 foot wide landscape strip exceeds what is required by the current Title 30, as no landscaping is now required along the southern and western property lines, these landscape areas will not comply with the condition approved by ZC-1926-03. A similar request was made previously through WC-22-400128 but was ultimately withdrawn by the applicant in July 2023.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1926-03:

Current Planning

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Development limited to "For Sale" condominiums rather than apartments or commercial;
- Design review as a public hearing on final plans or tentative map submittal;
- 20 foot wide intense landscape buffer along the west and south property lines;
- Drainage and traffic studies maybe required with future development;
- Filing Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, as the development will penetrate the 100:1 notification airspace; alternatively, the applicant may submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- All applicable standard conditions for this application type;
- Applicant is advised that other land use applications may be required for future development;
- This project is under Clark County imposed CC&Rs agreed to by all parties as part of a real estate transaction that transferred ownership out of the public sector; the CC&Rs are to be enforced by Clark County; and that no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has met all applicable conditions of the CC&Rs as they relate to the application.

Applicant's Justification

The applicant states that there is a strong demand for affordable and senior housing in the Las Vegas Valley and the allowance for apartments at this site would help meet this demand and provide for a mixed-income neighborhood. The applicant also states that the apartments would function like the surrounding condominiums. In addition, the applicant states that since the original zone change there have been changes to the surrounding area, such as the development of a drainage channel and the approval of a mixed-use development to the south and west of the subject site, resulting in the 20 foot landscape buffer becoming no longer necessary.

Prior Land Use Requests

Application Number	Request	Action	Date
WC-22-400128 (ZC-1926-03)	Waived conditions of a zone change requiring all units be for sale and a 20 foot landscape buffer be provided along the southern and western property lines	Withdrawn	July 2023
UC-22-0650	183 unit multiple family residential development (apartments)	Withdrawn	July 2023
UC-0312-08	Allowed a portion of an existing residential condominium complex to be converted to resort condominiums	Approved by PC	May 2008
WS-1630-05 (WC-0216-07)	Waived a requirement for an 8 foot wall on the south and west sides of the site	Approved by PC	August 2007
WS-0799-07	Allowed a freestanding sign where not permitted	Approved by PC	August 2007
WS-1630-05	Reduced wall height, parking, and trash enclosure separation	Approved by PC	December 2005
TM-0483-04	756 unit condominium complex	Approved by PC	September 2004
UC-0365-04	Allowed a 756 unit condominium complex	Approved by BCC	April 2004
ZC-1926-03	Reclassified the site from R-T to H-1 zoning for a future development	Approved by BCC	January 2004
DR-0735-97	279 space manufactured home park	Approved by PC	June 1997
ZC-1550-96	Reclassified the site from R-E and H-1 to T-C zoning for a manufactured home park	Approved by BCC	November 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	CR & RM18	Retail center & multiple family residential
South & West	Entertainment Mixed-Use	CR	Proposed mixed-use development
East	Entertainment Mixed-Use	CR	Multiple family residential

Related Applications

Application Number	Request
UC-24-0158	A 282 unit affordable multiple family senior housing development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Conditions #1

The area surrounding the subject site has several condominium complexes located nearby, or across Las Vegas Boulevard South. These condominium complexes were not yet approved at the time, but now pervade the area. The addition of the apartments in this area would aid in creating a good mix of housing types and allow for a mixed-income neighborhood, which would advance the directives of Master Plan Policies 1.1.4, 1.1.5, and 1.2.6, which encourage the expansion of housing units for vulnerable and elderly populations and to expand the availability of affordable housing units within the County. In addition, apartments would also not function much different than similar multiple family developments, such as "For Sale" condominiums. For these reasons, staff can support this waiver of conditions.

Waiver of Conditions #2

Given the context of the area surrounding the subject site, the use of the landscape buffer would have been to buffer the surrounding manufactured home park from, at the time of the original approval, an unknown residential use. Now that a defined use has been determined and the manufactured home park is now being redeveloped as a mixed-use development, which will include both multiple family residential and retail uses, a 20 foot landscape buffer is excessive and would be out of place. While the width of the proposed landscape strip is being reduced to 3 feet, staff finds that this is sufficient given that no landscaping buffer or strip is required along the western and southern property lines, as Title 30 does not require a landscape buffer between the 2 uses as they would be of a similar intensity. For these reasons, staff can support this waiver of conditions.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Comment.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0096-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

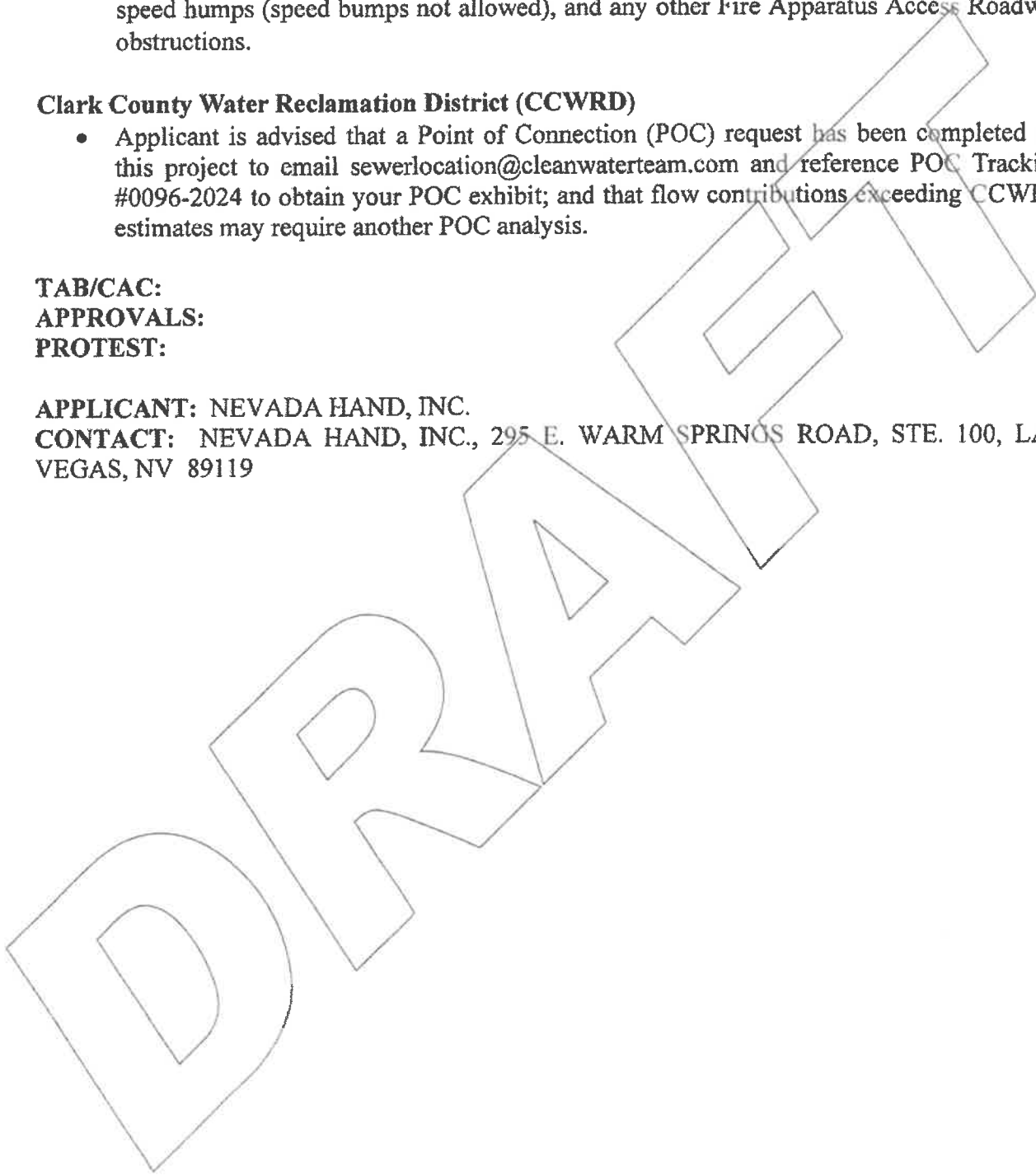
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: NEVADA HAND, INC.

CONTACT: NEVADA HAND, INC., 295 E. WARM SPRINGS ROAD, STE. 100, LAS VEGAS, NV 89119





Department of Comprehensive Planning Application Form

11A

ASSESSOR PARCEL #(s): 177-20-701-014

PROPERTY ADDRESS/ CROSS STREETS: West Serene Avenue and South Las Vegas Boulevard

Serene Pines is a proposed four story building. The project will be financed with State Multi-unit House Revenue Bonds and 4% Low Income Housing Tax Credits to provide affordable housing for seniors 55 years of age and older. 238 1-bedroom and 40 2-bedroom units will be provided for a total of 278 units. In addition to management and leasing offices, project amenities will include 2-courtyards, a swimming pool, 3- elevators, a multi-purpose room with community kitchen, 2-laundry rooms on each floor, computer rooms, library, theater, game rooms, and craft rooms. At least one parking space will be provided for each unit.

NAME: Palm Beach Resort Condo, LLC
 ADDRESS: P.O. Box 33727
 CITY: Phoenix STATE: AZ ZIP CODE: 85087
 TELEPHONE: _____ CELL 602-432-0700 EMAIL: jerry moyes@dvcfo.com

NAME: Hand Property Holding Company
 ADDRESS: 295 E Warm Springs Road, Suite 101
 CITY: Las Vegas STATE: NV ZIP CODE: 890119 REF CONTACT ID # _____
 TELEPHONE: 702-410-2713 CELL 702-528-0621 EMAIL: handdevelopment@nevadahand.org

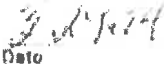
NAME: Hand Property Holding Company / James Brewer
 ADDRESS: 295 E Warm Springs Road, Suite 101
 CITY: Las Vegas STATE: NV ZIP CODE: 89119 REF CONTACT ID # 256836
 TELEPHONE: 702-410-2713 CELL 702-528-0621 EMAIL: landdevelopment@nevadahand.org

*Correspondent will receive all project communication

(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)

Jerry Moyes - Manager
 Property Owner (Print)


 Date

DEPARTMENT USE ONLY-

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|--------------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input checked="" type="checkbox"/> WC | <input type="checkbox"/> OTHER |

APPLICATION #(s) WCL-24-400046

ACCEPTED BY 

PC MEETING DATE _____

DATE 4/10/24

BCC MEETING DATE 6/5/24

*AB/CAC LOCATION Enterprise 5/15/24



295 E. Warm Springs Rd. Ste. 101
Las Vegas, NV 89119
(702) 739-3345
NevadaHAND.org

April 10, 2024

Hunter White

Principal Planner

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

**PLANNER
COPY**

WC-24-400044

Reference: Justification Letter – Serene Pines Senior Housing Apartments
APN 177-20-701-014

Dear Mr. White:

Please accept this justification letter addressing the development plan for the above referenced parcel. We are requesting a Use Permit, Design Review, Waiver of Development Standards and Waiver of Conditions.

The property is located on the south side of East Serene Avenue between I-15 and Las Vegas Boulevard within the Entertainment Mixed-Use (EM) land use with a Commercial Resort (CR) zoning designation. In this zone, a multi-family development of up to 50 units per acre (323 units total) is allowed with a Use Permit.

Nevada HAND proposes to develop a four-story facility with 278 affordable senior apartments on the 6.47-acre property with a density of 43.0 units per acre where 50 units per acre are allowed. The proposed development will consist of 238 one-bedroom and 40 two-bedroom apartments along with indoor and outdoor common area spaces and various amenities.

For over 30 years, Nevada HAND has focused on providing high quality affordable housing. We have demonstrated that by collaborating proactively with elected officials, planning departments, neighbors, its residents, and property management teams; the overall development will be sustainable and beneficial for all parties.

In addition to high quality apartments and amenity filled common areas, Nevada HAND provides Resident Service Coordinators, private transportation, and collaboration with other nonprofits to bring services to our residents.

This development will be financed with State of Nevada tax exempt bonds and the 4% Low-income Housing Tax Credit program which is administered by the Nevada Housing Division and other funding sources. Rents are based on income as a percentage of Area Medium Income (AMI).

Use Permit

Nevada Hand is requesting a Use Permit to allow multi-family housing within the Commercial Resort (CR) zoning area pursuant to Title 30.03.03. Our proposed development is conforming and compatible use according to the County's current land use standards and will offer high quality affordable housing for seniors.

This area of town is seeing continued development of medium and high-density residential and commercial properties, so our proposed development is consistent and compatible with the surrounding improvements. There are numerous commercial facilities located in the vicinity of the property and additional retail stores are expected to open in this area in the coming years as higher density projects continue to come to market.

The development to the east is the Boca Raton condominiums, a 7-story multi-family community. The properties to the north are the Vegas Pointe Plaza, a 28-acre commercial shopping and retail center and the Jovanna Apartment community, a multi-family community. The property to the west and south is the Cactus Ridge mobile-home community that is being redeveloped.

Recent data from www.NLIHC.org (National Low Income Housing Coalition) shows that Nevada has a shortfall of 78,218 affordable units for extremely low-income renters and 31% of these renters are seniors. Therefore, this development will provide much needed housing for our growing senior population.

Waiver of Conditions

The existing site was originally rezoned from an R-T (Manufactured Home Residential) zone to the H-1 (Limited Resort and Apartment) zone in January 2004 through ZC-1926-03 to allow the property to be used for future residential uses and limited to "For Sale" condominiums along with a 20' intense landscape buffer along the west and south property lines. At that time, a 756 residential condominium complex was proposed for the site through UC-0365-04 in April 2004. Only 378 units on the eastern portion of the condominium project were constructed. The western portion of the site remained vacant and undeveloped.

We now request to construct a 278-unit affordable senior multi-family (apartment) building on the vacant property. In order to be able to construct the apartments on the site, the condition of ZC-1926-03 allowing only "For Sale" units and the 20-foot intense landscape buffer must be waived.

Compelling Justification: The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the affordable senior apartments in this area will aid in creating a good mix of housing types and incomes which will advance the directive of Master Plan Policy. In addition, affordable senior apartments will function similar to multiple family developments such as condominiums.

The manufactured housing development along the west and south of our development is proposed to be redeveloped into a mix-use development. Additionally, there has been a large drainage channel constructed along the southern property line. We believe that due to the current and future developments surrounding the site, the 20' intense landscape buffer is excessive. Therefore, we are requesting the landscape buffer along the west and south property lines be waived to allow for covered parking for the senior residents.

Waiver of Development Standards

We are requesting a waiver of development standards listed below:

Electric Vehicle (EV) charging (30.04.04-H.v) requires 25% of the required parking to be EV-compatible. This would equate to approximately 52 EV-compatible parking spaces. We are requesting this condition to be waived at our proposed senior affordable housing project.

While we fully support sustainable initiatives and the adoption of green technologies, this requirement would increase both initial construction and annual maintenance costs, compromising Nevada HAND's capacity to maintain an affordable, high-quality, amenity-rich living environment for our low-income seniors.

Nevada HAND has been at the forefront of developing affordable housing in Nevada that not only offers a safe and comfortable living environment but also enriches the lives of our residents through a wide array of amenities and services. The average annual household income among the nearly 3,000 independent low-income senior residents in our communities is \$21,354, with an average monthly rent across our portfolio of \$789. Included in our residents' monthly rent is access to community amenities such as multi-use common areas, fitness centers and pools, landscaped outdoor spaces, laundry facilities on every floor, full-time management, and maintenance staff, and personalized on-site Resident Services that provide fixed-route transportation, food commodities, health and wellness support educational programming, and events designed to reduce social isolation. At most of our senior communities, Nevada HAND also covers the cost of residents' basic utilities.

With over 30 years of experience, Nevada HAND has shown that affordable, high-quality apartment homes and supportive resident services can only be created and maintained by building with high standards of efficiency and long-term cost sustainability. The initial infrastructure upgrades and ongoing maintenance required for electric vehicle charging stations would push costs beyond what affordable rents can reasonably sustain over the long term and, ultimately, impact our ability to provide the best possible living environment and services for low-income senior residents.

Considering the above, we request that the EV charging station requirement be waived.

Driveway Width proposed for the development will exceed 52-feet in width. There will be 24-foot-wide ingress and egress drive lanes along with a 6-foot-wide median island in the center. The 24-foot-wide lanes will also accommodate emergency access to the property.

We are proposing a 6-foot-wide landscape median island therefore, the overall width of the opening will be 54-feet wide. We believe that a 54-foot-wide entry will provide increased safety, visibility for turning movements for our senior drivers and increased accessibility for emergency vehicles. We are requesting a waiver of development standards to allow a 54-foot-wide commercial driveway.

Design Review

Nevada HAND is requesting a Design Review (DR) for a 278-unit affordable senior multi-family apartment development within a CR zoning designation, alternative street landscaping, and are requesting the following waivers for consideration. We are requesting for consideration alternative building siting, allowing parking areas to be permitted and accessed between the building and the street frontage (Title 30.04.05.F). In addition, we are requesting a review of the sustainability plan.

Compelling Justification:

Multi-family development: The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the affordable senior apartments in this area would aid in creating a good mix of housing types and incomes (single family and multiple family apartments and condominiums), which would advance the directive of Master Plan Policy.

The proposed development does not adversely affect the neighborhood as affordable senior multi-family housing is typically deemed a low impact use. In addition to this, the neighborhood businesses would benefit from the support of the new residents.

Alternative Street Landscaping: Sec.30.04.07.D.7-III requires large trees spaced every thirty-feet (30') on-center. Therefore, this development would require 11 trees along Serene Avenue. The proposed landscape plan provides 15 large trees along Serene Avenue (including the entry). The tree species listed in the landscape plan that is located on the streetscape is considered a large tree pursuant to the SNWA/SNRPC Regional Plant List under Table 30.04-1: Minimum Plan Specifications. Also, the Pistachia chinensis – Chinese Pistache as well as the Prosopis x chinensis 'Arizona' – Thornless Chilean Mesquite trees are recommended as Street Trees under the SNWA/SNRPC Regional Plant list. We believe that the proposed tree species at maturity are considered large trees and will provide a solid shaded canopy adjacent to the roadway.

We also believe that if we were to space the street trees every twenty-feet (20') on-center would be detrimental to the street tree design as well as going against the latest Title 30 Development Standards. Spacing these trees at twenty-feet (20') on center for large trees where canopies will span and intertwine to create a large hedge-like screen which poses a threat to public safety where there is no clear line of sight for patrols to see unwanted visitors. These large trees will also need adequate spacing to breathe and grow into their maturity state. Therefore, we are proposing these large trees at thirty-feet (30') on-center per development standards.

We are also proposing to have a few trees that are considered moderate water use trees; however these are rated 3-star and above trees which are recommended on the SNWA/SNRPC Regional Plant List. These trees are the (4*) Chilopsis linearis 'Lopur

Desert Diva' – Lopur Desert Diva Desert Willow, (4*) Pistacia chinensis – Chinese Pistache and the (3*) Platanus mexicanum – Mexican Sycamore.

Alternative Building Siting and Parking Lot Locations: Due to site constraints, geometry, access, and property use, we are requesting a waiver for Building Siting per title 30.04.05.F. Our main property entrance is only accessible from Serene Avenue however, we have setback the building entrance approximately 136-feet from the roadway. This will provide a large (20') extensive street landscaping along Serene Avenue along with an enhanced landscape buffer beyond the streetscape. This setback will enable us to enhance our main entry along with providing proper emergency vehicular access, ample vehicle stacking for the gated access for our residences. We will include a well-marked lighted and dedicated pedestrian access from Serene Avenue.

This community will be gated for the safety of its senior residents. The non-gated parking provided in front of the building is limited and is also accessible for visitors, deliveries and residents and will be well marked and identified for safe pedestrian access and circulation. There will be a small parking area between Serene Avenue and the front of the building for overflow to also serve as guest parking and deliveries outside the secured gated areas.

Sustainability review: Pursuant to Title 30.04.05.J *Sustainability* for multi-family residential, we are required to achieve at least 5-points from the sustainability measures. We believe that all the proposed trees are low water uses even though some of the species specified are medium water uses. We hereby submit for review this Sustainability list for the proposed development:

Landscaping:

- Title 30.04.05.J-3.i. - Provide 10% more trees than required: The tree requirement along Serene Avenue is 11 trees. We are proposing to install 13-trees. (18% increase) **(1-Point)**
- Title 30.04.05.J-3.ii. – 95% or more of the proposed landscaping will be Water-Efficient landscaping with plants that have very low or low water needs. **(1-Point)**
- Title 30.04.05.J-3.iii – The minimum required landscape buffer Along Serene Avenue is 10-foot wide. The proposed development is providing a 20-foot-wide landscape buffer (100% increase). **(1-Point)**
- Title 30.04.05.J-3.vi - Landscaping for Energy Conservation and Solar Gains. The development will provide landscaping plant material along the south and west sides of the buildings. **(1/2-Point)**

Building and Site Design Sustainability Options:

- Title 30.04.05.J-4.ii.C(3) – The building will be constructed with a floor-to-ceiling height of 9-feet. **(1/2-Point)**
- Title 30.04.05.J-4.ii.C(5) – All exterior glazing shall be a low Solar Heat Gain Coefficient (SHGC) which will meet or exceed Solar Ban glass. Note: Solar Ban is a brand name glass. **(1/2-Point)**
- Alternative Compliance:
 1. Title 30.04.05.J-4.ii (5) only requires the south and west windows to be low SHGC. The building will provide all exterior glazing to be low SHGC.

Additionally, the building will reduce the area of glass to lower the overall SHGC. **(1/2-Point)**

2. Title 30.04.05.J-3.vi – Only requires Landscaping for Energy Conservation and Solar Gains along the south and west sides of the buildings. The development will provide landscaping along all sides of the building. Additionally, the development will increase enhanced landscaping buffer beyond the streetscape buffer. **(1/2-Point)**
3. Title 30.04.05.J-4.iii – Alternative Energy: Carports shall have solar panels installed to supply supplemental energy for the building and common areas. **(1/2-Point)**

In summary, Nevada Hand has reviewed the development code and neighboring properties, and is pleased to submit this compatible development for your review. We look forward to the opportunity to discuss this application in more detail.

Thank you,



James Brewer, PE
Director of Development and Land Planning
Nevada HAND

06/05/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0158-PALM BEACH RESORT CONDO, LLC:

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) electric vehicle charging spaces; 2) drive aisle length; 3) accessory structure setbacks; and 4) driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative landscaping plan; and 2) affordable multiple family senior housing development on 6.47 acres in a CR (Commercial Resort) Zone.

Generally located on the south side of Serene Avenue, approximately 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/ng (For possible action)

RELATED INFORMATION:

APN:

177-20-701-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate EV capable and installed parking spaces where such spaces are required per Section 30.04.04H (a 100% reduction).
2. Allow a 511.6 foot drive aisle without a break for circulation where 400 feet long is the maximum per Section 30.04.04H (a 28% increase).
3. a. Reduce the interior side setback for an accessory structure (carport) to 3 feet where 20 feet is required per Section 30.02.11 (an 85% reduction).
b. Reduce the rear setback for an accessory structure to 3 feet where 5 feet is required per Section 30.02.11 (a 40% reduction).
4. Increase the width of a multiple family residential driveway to 42 feet where 40 feet is the maximum per Uniform Standard Drawing 222.1 (a 5% increase).

DESIGN REVIEWS:

1. Allow an alternative street and parking lot landscaping design where street and parking lot landscaping is required per Section 30.04.01.
2. A 282 unit affordable multiple family senior housing development.

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 6.47
- Project Type: Multiple family senior housing development (apartments)
- Number of Units: 282
- Density (du/ac): 43.59
- Number of Stories: 4
- Building Height (feet): 57.5
- Square Feet: 74,774 (footprint)/279,888 (total)
- Open Space Required/Provided: 28,200/35,472
- Parking Required/Provided: 212/251
- Sustainability Required/Provided: 5/4

Site Plans

The proposed project is being developed on a portion of a previously approved 756 unit multiple family development. The entire complex has since been subdivided into 2 separate parcels, with the existing developed portion of the original multiple family development on the eastern parcel. This request is to develop the western parcel as an independent, 282 unit multiple family residential/apartment development which will primarily serve senior citizens on limited incomes.

The plans depict a 4 story, multiple family residential building with a footprint of approximately 74,774 feet, with a total square footage of 279,888 square feet situated in the central portion of the site. A total of 282 units, split between 242, one bedroom units and 40, two bedroom units, for an overall density of 43.59 units per acre. The building is rectangular in shape and surrounds 2 central areas designed to host a 16,671 square foot pool courtyard area in the northern portion of the building, and an 18,472 square foot programed courtyard area in the southern portion of the building. A clubhouse and office area are provided to the north of the pool courtyard. The building itself is surrounded by parking with spaces on all 4 sides of the building with covered spaces provided in addition to typical uncovered spaces. The uncovered spaces are primarily provided in the northern portion of the site in front of the 2 provided gates, while the covered spaces are provided behind the gates in the southern portions of the site. A total of 282 parking spaces are required for a senior housing complex, but due to the complex being certified as affordable housing, an additional 25% reduction in required spaces is permitted. Overall, a total of 212 parking spaces are required with 251 spaces provided throughout the site. The site has a primary access point off Serene Avenue with a 42 foot wide driveway, which consists of one, 24 foot wide entrance drive aisle, a 12 foot wide exit drive aisle, and a 6 foot wide median splitting the 2 drive aisles. The main entrance gate is in the northwestern portion of the site with a call box found at the end of a 325 foot long, 16 foot wide, 1 way drive aisle that breaks off of the main east-west drive aisle in the northern portion of the site. An exit only gate is provided at the northeast corner of the site, and a cross access point to the adjoining 377 unit condominium development to the west is found in the southeastern portion of the site. Overall, the building is shown set back 156 feet from Serene Avenue, 74 feet and 76 feet from the adjacent property to the south and west, respectively, and 55 feet from the adjacent condominium complex to the east.

Landscaping

The landscaping plans show that both street landscaping and parking lot landscaping have been provided. Along the street, a 20 foot wide landscaping strip has been provided behind an existing attached 5 foot wide sidewalk. Within the 20 foot wide landscaping strip, an alternating sequence

of Chinese Pistache (*Pistachia chinensis*) and Thornless Chilean Mesquite (*Prosopis x Chilensis* 'Arizona') trees have been provided approximately every 30 feet on center. These trees are large trees by the SNRPC Regional Plant list and have a canopy coverage that is considered large, as well, but due to the maximum height of these trees being less than 40 feet they are not considered large by Title 30, and thus require approval. Within the parking lot area, trees have primarily been provided within the front yard of the site, as the side and rear parking areas all have carport structures, which do not require parking lot landscaping. The correct number of trees and landscape finger islands have been provided but are not arranged exactly per Code requirement. The parking lot areas mainly consist of Desert Museum Palo Verde (*Parkinsonia x* 'Desert Museum'), Mexican Sycamore (*Platanus mexicanum*), Mulga Acacia (*Acacia mulga*), and Lopur Desert Diva Desert Willow (*Chilopsis Linearis*) trees. Additionally, several trees and shrubs have been provided on all 4 sides of the building and within the courtyard areas.

Elevations

The elevations depict a 4 story, 57.5 foot high multiple family residential structure. The plans show that the building's exterior materials are primarily stucco finished with foam bands and window treatments along with stucco parapets and a flat roof with gabled extensions with concrete roof tiles. The building contains several wall pop-outs and roofline elevations. The wall pop-outs and recesses are painted various colors such as clay, beige, and grey. The building is well fenestrated with Low-E panel windows of various sizes and shapes on all floors and all sides for the dwelling units. The north portion of the building contains the primary entrance, which is called out by a double door commercial door-window system, which is covered by a portico structure, but access to the building is routed through a parking lot.

Floor Plans

The plans show there are a total of 282 units across 3 different floor plans. There are 2, one bedroom floor plans spread across the 4 floors with 1 model being a standard unit and the other being a corner unit. There are between 55 and 63 one bedroom units on each floor. The 1 bedroom units all contain approximately 650 square feet. There is only 1, two bedroom model, which contains approximately 850 square feet, and there are 10, two bedroom units on each floor. Overall, there are 65 total units on the first floor, 71 units on the second floor, and 73 units on the third and fourth floors. The common spaces primarily include an office, multi-purpose room, mailroom, and laundry facilities on the first floor, and laundry and lounge facilities on the other 3 floors.

Applicant's Justification

The applicant states that the proposed multiple family residential development will serve primarily seniors on limited incomes and will provide several amenities and services for the residents. The applicant states that the surrounding neighborhood primarily contains multiple family residential and retail developments, and that this development would be similar to the surrounding developments. The applicant indicates that the waiver of EV charger parking is needed as such parking would represent a cost that would make the affordable aspect of the development unfeasible, and given the experience at similar properties would be unused. Regarding the landscaping, the applicant states that the provided landscaping within the parking lot exceeds what is required by Code and that if the current trees along the street were placed 20 feet apart that crowding would affect the health of the trees. Furthermore, the applicant indicates

that the front setback of the building is needed to allow for street landscaping and that the routing of the main access path to the entrance through anything other than a parking lot is not possible. Finally, the applicant states that they have provided a good mix of sustainability efforts both from the provided list within Title 30 and additional alternative measures which would ultimately lead them to exceed the 5 point requirement for multiple family residential developments.

Prior Land Use Requests

Application Number	Request	Action	Date
WC-22-400128 (ZC-1926-03)	Waived conditions of a zone change requiring all units be for sale and a 20 foot landscape buffer be provided along the southern and western property lines	Withdrawn	July 2023
UC-22-0650	183 unit multiple family residential development (apartments)	Withdrawn	July 2023
UC-0312-08	Allowed a portion of an existing residential condominium complex to be converted to resort condominiums	Approved by PC	May 2008
WS-1630-05 (WC-0216-07)	Waived a requirement for an 8 foot wall on the south and west sides of the site	Approved by PC	August 2007
WS-0799-07	Allowed a freestanding sign where not permitted	Approved by PC	August 2007
WS-1630-05	Reduced wall height, parking and trash enclosure separation	Approved by PC	December 2005
TM-0483-04	756 unit condominium complex	Approved by PC	September 2004
UC-0365-04	Allowed a 756 unit condominium complex	Approved by BCC	April 2004
ZC-1926-03	Reclassified the site from R-T to H-1 zoning for a future development	Approved by BCC	January 2004
DR-0735-97	279 space manufactured home park	Approved by PC	June 1997
ZC-1550-96	Reclassified the site from R-E and H-1 to T-C zoning for a manufactured home park	Approved by BCC	November 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	CR & RM18	Retail center & multiple family residential
South & West	Entertainment Mixed-Use	CR	Proposed mixed-use development
East	Entertainment Mixed-Use	CR	Multiple family residential

Related Applications

Application Number	Request
WC-24-400046 (ZC-1926-03)	A request to waive conditions of a zone change requiring all units be for sale and a 20 foot landscape buffer be provided along the southern and western property lines is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the location of the proposed multiple family building is off the Las Vegas Boulevard South corridor and is surrounded by many similar or more intense uses. There are several multiple family developments, both to the northwest and to the east of the subject site, and an existing retail center is located to the northeast of the site. In addition, the adjacent properties to the south and west are also being developed for a mixed-use retail and multiple family residential development. As a result, staff finds that the proposed multiple family residential development will be compatible with the adjacent development due to the trend of the neighborhood toward such developments. In addition, staff finds that given the adjacent mixed-use development and the location of the site to Las Vegas Boulevard, the proposed development should not impart any additional impacts compared to the surrounding development, and will place the development along major transportation points. In addition, the affordable nature of the project should help to create a mixed income neighborhood with access to a variety of local retail and services. Finally, staff finds that the proposed development complies with Master Plan Policies 1.1.4, 1.1.5, and 1.2.8, which encourage the expansion of housing units for vulnerable and elderly populations, and to expand the availability of affordable housing units. The proposed development also complies with Enterprise specific Policy EN-1.1, which encourages in-fill development. For these reasons, staff can support this request.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the

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

Waiver of Development Standards #1

The purpose of providing EV capable and installed charging spaces is to adapt to changing trends in car ownership and the increase in the number of non-gasoline powered vehicles. Staff finds that given the trend of electrical vehicles to a more affordable nature and the overall growth of ownership of such vehicles, that the need for EV capable and installed spaces at an affordable housing project may be relatively low now, but this trend may not continue in the future. As a result, staff finds that new residential developments should be providing these facilities to not cause issues regarding transportation needs in the future. With that said, the applicant states that at similar projects no EV spaces have been installed and there have been no issues related to the lack of EV capable or installed spaces. In addition, the surrounding neighborhood, including the proposed mixed-use development, should provide ample opportunities for those with EV charging needs to be able to do so nearby and that the proposed development has plenty of space to provide the chargers in the future should the need arise. Ultimately, staff cannot support this waiver of development standards, as at least some EV charging capable spots should be provided to deal with future charging needs.

Waiver of Development Standards #2

The purpose of limiting the length of drive aisles without breaks for circulation is to prevent traffic build-up on a site and reduce unsafe turnarounds and speeding. Staff finds that the subject site could be designed to reduce the length of the drive aisles, but the design of the parking area has been adapted to the size limitations of the lot. Staff also finds that the drive aisles are broken up due to gates and that there is only 1 entrance gate on the site. In addition, there is no way for cars to cut through parking spaces in an unsafe manner and there is sufficient space in the drive aisles to turn around along with sufficient stacking space. Finally, should speed reduction devices be provided in the rear and side drive aisle, staff can support this waiver of development standards as the possible issue of speed can be addressed and the design of the drive aisles also appear to address other possible issues.

Waiver of Development Standards #3

The purpose of setbacks is to assure that buildings and structures are placed off property lines to preserve privacy and to promote a safe built environment. Staff finds that the location of the carports on the south side of the site are adjacent to an existing drainage channel and the carports on the east side of the property will be separated from a clubhouse building by nearly 40 feet and would not be adjacent to any residential structures. The carports on the west side of the property will also be separated from any residential buildings by a drive aisle. Staff finds that the combination of the surrounding area along with the fact that walls will screen these structures and are essentially uninhabited, there should be no privacy concerns. In addition, the carports also will be separated from other buildings by a sufficient distance. For these reasons, while staff does not normally support setback waivers, can support this request.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations,

design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The design of the proposed project is contemporary in nature and complies with a majority of the design requirements required by Title 30. The design elements provided such as wall pop-puts, window treatments, and gabled roof elements portray a residential design, but in a modern way that complements and enhances the surrounding neighborhood. While the building and its entrances are set back from the street, requiring passage through a parking lot, the on-site pedestrian walkways are clearly delineated with stamped concrete and are placed in the most direct locations. The entrance and exit gates are located with enough stacking space and are set back sufficiently from the right-of-way. Parking is sufficiently provided for the proposed use of the site and access to these spaces is designed to adapt to the site as much as possible. The site is provided with a variety of outdoor and indoor, programmed recreational space. In terms of sustainability, the applicant is providing at least 4 points, which consists primarily of landscaping options related to the number and types of trees provided, but also the location of the trees around the building. The applicant is also providing a cool roof and Low-E windows. Beyond this, the applicant is providing alternative measures, which include the addition of solar panels on all carport roofs and additional landscaping surrounding the building. The parking lot landscaping is not provided exactly to Code requirements, but will still provide an equivalent or greater amount of shading due to the increased number of trees. The street landscaping trees provided do not reach the height required to be considered large but have a coverage equal to that of a large tree. In addition, the street trees have been provided at a larger number than would be required of large trees, increasing the overall shade coverage along the streetscape. Staff also concurs that should the applicant provide any more trees that crowding could result and jeopardize the health of the trees planted. Finally, staff finds that a registered Nevada landscape architect has attested to the landscape plan and necessity of the plantings shown. For these reasons, staff can support the requested design reviews.

Public Works - Development Review **Waiver of Development Standards #4**

Staff has no objection to the request to increase the driveway width for the westernmost driveway on Serene Avenue. The applicant worked with staff on the design of the driveway to reduce the potential conflicts normally caused by increased driveway width.

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 use permit, waivers of development standards #2, #3, #4, and the design review; 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:

Comprehensive Planning

If approved:

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.

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 at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0096-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEVADA HAND, INC.

CONTACT: NEVADA HAND, INC., 295 E. WARM SPRINGS ROAD, STE. 100, LAS VEGAS, NV 89119

DRAFT



Department of Comprehensive Planning Application Form

12A

ASSESSOR PARCEL #(s): 177-20-701-014

PROPERTY ADDRESS/ CROSS STREETS: West Serena Avenue and South Las Vegas Boulevard

Serena Pines is a proposed four story building. The project will be financed with State Multi-unit House Revenue Bonds and 4% Low Income Housing Tax Credits to provide affordable housing for seniors 55 years of age and older. 238 1-bedroom and 40 2-bedroom units will be provided for a total of 278 units. In addition to management and leasing offices, project amenities will include 2-courtyards, a swimming pool, 3- elevators, a multi-purpose room with community kitchen, 2-laundry rooms on each floor, computer rooms, library theater, game rooms, and craft rooms. At least one parking space will be provided for each unit.

NAME: Palm Beach Resort Condo, LLC
 ADDRESS: P.O. Box 33727
 CITY: Phoenix STATE: AZ ZIP CODE: 85067
 TELEPHONE: _____ CELL 602-432-0700 EMAIL: jerry Moyes@dvcfo.com

NAME: Hand Property Holding Company
 ADDRESS: 295 E Warm Springs Road, Suite 101
 CITY: Las Vegas STATE: NV ZIP CODE: 890119 REF CONTACT ID # _____
 TELEPHONE: 702-410-2713 CELL 702-528-0621 EMAIL: landdevelopment@nevadahand.org

NAME: Hand Property Holding Company / James Brewer
 ADDRESS: 295 E Warm Springs Road, Suite 101
 CITY: Las Vegas STATE: NV ZIP CODE: 89119 REF CONTACT ID # 255836
 TELEPHONE: 702-410-2713 CELL 702-528-0621 EMAIL: landdevelopment@nevadahand.org

*Correspondent will receive all project communication

(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. (I, We) 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.

Jerry Moyes
 Property Owner (Signature)

Jerry Moyes - Manager
 Property Owner (Print)

3/21/24
 Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|--|------------------------------|-------------------------------|-----------------------------|--|--|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input checked="" type="checkbox"/> UC | <input checked="" type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input checked="" type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | <input type="checkbox"/> OTHER |

APPLICATION # (s) UC-24-0158

ACCEPTED BY [Signature]

PC MEETING DATE _____

DATE 4/10/24

BCC MEETING DATE 6/5/24

*AB/CAC LOCATION Enterprise 5/15/24



295 E. Warm Springs Rd. Ste. 101
Las Vegas, NV 89119
(702) 739-3345
NevadaHAND.org

April 10, 2024

Hunter White

Principal Planner

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

**PLANNER
COPY**
VC-24-0156

Reference: Justification Letter – Serene Pines Senior Housing Apartments
APN 177-20-701-014

Dear Mr. White:

Please accept this justification letter addressing the development plan for the above referenced parcel. We are requesting a Use Permit, Design Review, Waiver of Development Standards and Waiver of Conditions.

The property is located on the south side of East Serene Avenue between I-15 and Las Vegas Boulevard within the Entertainment Mixed-Use (EM) land use with a Commercial Resort (CR) zoning designation. In this zone, a multi-family development of up to 50 units per acre (323 units total) is allowed with a Use Permit.

Nevada HAND proposes to develop a four-story facility with 278 affordable senior apartments on the 6.47-acre property with a density of 43.0 units per acre where 50 units per acre are allowed. The proposed development will consist of 238 one-bedroom and 40 two-bedroom apartments along with indoor and outdoor common area spaces and various amenities.

For over 30 years, Nevada HAND has focused on providing high quality affordable housing. We have demonstrated that by collaborating proactively with elected officials, planning departments, neighbors, its residents, and property management teams; the overall development will be sustainable and beneficial for all parties.

In addition to high quality apartments and amenity filled common areas, Nevada HAND provides Resident Service Coordinators, private transportation, and collaboration with other nonprofits to bring services to our residents.

This development will be financed with State of Nevada tax exempt bonds and the 4% Low-income Housing Tax Credit program which is administered by the Nevada Housing Division and other funding sources. Rents are based on income as a percentage of Area Medium Income (AMI).

Use Permit

Nevada Hand is requesting a Use Permit to allow multi-family housing within the Commercial Resort (CR) zoning area pursuant to Title 30.03.03. Our proposed development is conforming and compatible use according to the County's current land use standards and will offer high quality affordable housing for seniors.

This area of town is seeing continued development of medium and high-density residential and commercial properties, so our proposed development is consistent and compatible with the surrounding improvements. There are numerous commercial facilities located in the vicinity of the property and additional retail stores are expected to open in this area in the coming years as higher density projects continue to come to market.

The development to the east is the Boca Raton condominiums, a 7-story multi-family community. The properties to the north are the Vegas Pointe Plaza, a 28-acre commercial shopping and retail center and the Jovanna Apartment community, a multi-family community. The property to the west and south is the Cactus Ridge mobile-home community that is being redeveloped.

Recent data from www.NLIHC.org (National Low Income Housing Coalition) shows that Nevada has a shortfall of 78,218 affordable units for extremely low-income renters and 31% of these renters are seniors. Therefore, this development will provide much needed housing for our growing senior population.

Waiver of Conditions

The existing site was originally rezoned from an R-T (Manufactured Home Residential) zone to the H-1 (Limited Resort and Apartment) zone in January 2004 through ZC-1926-03 to allow the property to be used for future residential uses and limited to "For Sale" condominiums along with a 20' intense landscape buffer along the west and south property lines. At that time, a 756 residential condominium complex was proposed for the site through UC-0365-04 in April 2004. Only 378 units on the eastern portion of the condominium project were constructed. The western portion of the site remained vacant and undeveloped.

We now request to construct a 278-unit affordable senior multi-family (apartment) building on the vacant property. In order to be able to construct the apartments on the site, the condition of ZC-1926-03 allowing only "For Sale" units and the 20-foot intense landscape buffer must be waived.

Compelling Justification: The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the affordable senior apartments in this area will aid in creating a good mix of housing types and incomes which will advance the directive of Master Plan Policy. In addition, affordable senior apartments will function similar to multiple family developments such as condominiums.

The manufactured housing development along the west and south of our development is proposed to be redeveloped into a mix-use development. Additionally, there has been a large drainage channel constructed along the southern property line. We believe that due to the current and future developments surrounding the site, the 20' intense landscape buffer is excessive. Therefore, we are requesting the landscape buffer along the west and south property lines be waived to allow for covered parking for the senior residents.

Waiver of Development Standards

We are requesting a waiver of development standards listed below:

Electric Vehicle (EV) charging (30.04.04-H.v) requires 25% of the required parking to be EV-compatible. This would equate to approximately 52 EV-compatible parking spaces. We are requesting this condition to be waived at our proposed senior affordable housing project.

While we fully support sustainable initiatives and the adoption of green technologies, this requirement would increase both initial construction and annual maintenance costs, compromising Nevada HAND's capacity to maintain an affordable, high-quality, amenity-rich living environment for our low-income seniors.

Nevada HAND has been at the forefront of developing affordable housing in Nevada that not only offers a safe and comfortable living environment but also enriches the lives of our residents through a wide array of amenities and services. The average annual household income among the nearly 3,000 independent low-income senior residents in our communities is \$21,354, with an average monthly rent across our portfolio of \$789. Included in our residents' monthly rent is access to community amenities such as multi-use common areas, fitness centers and pools, landscaped outdoor spaces, laundry facilities on every floor, full-time management, and maintenance staff, and personalized on-site Resident Services that provide fixed-route transportation, food commodities, health and wellness support, educational programming, and events designed to reduce social isolation. At most of our senior communities, Nevada HAND also covers the cost of residents' basic utilities.

With over 30 years of experience, Nevada HAND has shown that affordable, high-quality apartment homes and supportive resident services can only be created and maintained by building with high standards of efficiency and long-term cost sustainability. The initial infrastructure upgrades and ongoing maintenance required for electric vehicle charging stations would push costs beyond what affordable rents can reasonably sustain over the long term and, ultimately, impact our ability to provide the best possible living environment and services for low-income senior residents.

Considering the above, we request that the EV charging station requirement be waived.

Driveway Width proposed for the development will exceed 52-feet in width. There will be 24-foot-wide ingress and egress drive lanes along with a 6-foot-wide median island in the center. The 24-foot-wide lanes will also accommodate emergency access to the property.

We are proposing a 6-foot-wide landscape median island therefore, the overall width of the opening will be 54-feet wide. We believe that a 54-foot-wide entry will provide increased safety, visibility for turning movements for our senior drivers and increased accessibility for emergency vehicles. We are requesting a waiver of development standards to allow a 54-foot-wide commercial driveway.

Design Review

Nevada HAND is requesting a Design Review (DR) for a 278-unit affordable senior multi-family apartment development within a CR zoning designation, alternative street landscaping, and are requesting the following waivers for consideration. We are requesting for consideration alternative building siting, allowing parking areas to be permitted and accessed between the building and the street frontage (Title 30.04.05.F). In addition, we are requesting a review of the sustainability plan.

Compelling Justification:

Multi-family development: The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the affordable senior apartments in this area would aid in creating a good mix of housing types and incomes (single family and multiple family apartments and condominiums), which would advance the directive of Master Plan Policy.

The proposed development does not adversely affect the neighborhood as affordable senior multi-family housing is typically deemed a low impact use. In addition to this, the neighborhood businesses would benefit from the support of the new residents.

Alternative Street Landscaping: Sec.30.04.01.D.7-III requires large trees spaced every thirty-feet (30') on-center. Therefore, this development would require 11 trees along Serene Avenue. The proposed landscape plan provides 15 large trees along Serene Avenue (including the entry). The tree species listed in the landscape plan that is located on the streetscape is considered a large tree pursuant to the SNWA/SNRPC Regional Plant List under Table 30.04-1: Minimum Plan Specifications. Also, the Pistachia chinensis – Chinese Pistache as well as the Prosopis x chinensis 'Arizona' – Thornless Chilean Mesquite trees are recommended as Street Trees under the SNWA/SNRPC Regional Plant list. We believe that the proposed tree species at maturity are considered large trees and will provide a solid shaded canopy adjacent to the roadway.

We also believe that if we were to space the street trees every twenty-feet (20') on-center would be detrimental to the street tree design as well as going against the latest Title 30 Development Standards. Spacing these trees at twenty-feet (20') on center for large trees where canopies will span and intertwine to create a large hedge-like screen which poses a threat to public safety where there is no clear line of sight for patrols to see unwanted visitors. These large trees will also need adequate spacing to breathe and grow into their maturity state. Therefore, we are proposing these large trees at thirty-feet (30') on-center per development standards.

We are also proposing to have a few trees that are considered moderate water use trees; however these are rated 3-star and above trees which are recommended on the SNWA/SNRPC Regional Plant List. These trees are the (4*) Chilopsis linearis 'Lopur

Desert Diva' – Lopur Desert Diva Desert Willow, (4*) Pistacia chinensis – Chinese Pistache and the (3*) Platanus mexicanum – Mexican Sycamore.

Alternative Building Siting and Parking Lot Locations: Due to site constraints, geometry, access, and property use, we are requesting a waiver for Building Siting per title 30.04.05.F. Our main property entrance is only accessible from Serene Avenue however, we have setback the building entrance approximately 136-feet from the roadway. This will provide a large (20') extensive street landscaping along Serene Avenue along with an enhanced landscape buffer beyond the streetscape. This setback will enable us to enhance our main entry along with providing proper emergency vehicular access, ample vehicle stacking for the gated access for our residences. We will include a well-marked lighted and dedicated pedestrian access from Serene Avenue.

This community will be gated for the safety of its senior residents. The non-gated parking provided in front of the building is limited and is also accessible for visitors, deliveries and residents and will be well marked and identified for safe pedestrian access and circulation. There will be a small parking area between Serene Avenue and the front of the building for overflow to also serve as guest parking and deliveries outside the secured gated areas.

Sustainability review: Pursuant to Title 30.04.05.J *Sustainability* for multi-family residential, we are required to achieve at least 5-points from the sustainability measures. We believe that all the proposed trees are low water uses even though some of the species specified are medium water uses. We hereby submit for review this Sustainability list for the proposed development:

Landscaping:

- Title 30.04.05.J-3.i. - Provide 10% more trees than required: The tree requirement along Serene Avenue is 11 trees. We are proposing to install 13-trees. (18% increase) **(1-Point)**
- Title 30.04.05.J-3.ii. – 95% or more of the proposed landscaping will be Water-Efficient landscaping with plants that have very low or low water needs. **(1-Point)**
- Title 30.04.05.J-3.iii – The minimum required landscape buffer Along Serene Avenue is 10-feet wide. The proposed development is providing a 20-foot-wide landscape buffer (100% increase). **(1-Point)**
- Title 30.04.05.J-3.vi - Landscaping for Energy Conservation and Solar Gains. The development will provide landscaping plant material along the south and west sides of the buildings. **(1/2-Point)**

Building and Site Design Sustainability Options:

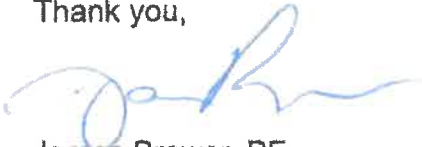
- Title 30.04.05.J-4.ii.C(3) – The building will be constructed with a floor-to-ceiling height of 9-feet. **(1/2-Point)**
- Title 30.04.05.J-4.ii.C(5) – All exterior glazing shall be a low Solar Heat Gain Coefficient (SHGC) which will meet or exceed Solar Ban glass. Note: Solar Ban is a brand name glass. **(1/2-Point)**
- Alternative Compliance:
 1. Title 30.04.05.J-4.ii (5) only requires the south and west windows to be low SHGC. The building will provide all exterior glazing to be low SHGC.

Additionally, the building will reduce the area of glass to lower the overall SHGC. **(1/2-Point)**

2. Title 30.04.05.J-3.vi – Only requires Landscaping for Energy Conservation and Solar Gains along the south and west sides of the buildings. The development will provide landscaping along all sides of the building. Additionally, the development will increase enhanced landscaping buffer beyond the streetscape buffer. **(1/2-Point)**
3. Title 30.04.05.J-4.iii – Alternative Energy: Carports shall have solar panels installed to supply supplemental energy for the building and common areas. **(1/2-Point)**

In summary, Nevada Hand has reviewed the development code and neighboring properties, and is pleased to submit this compatible development for your review. We look forward to the opportunity to discuss this application in more detail.

Thank you,



James Brewer, PE
Director of Development and Land Planning
Nevada HAND

06/05/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-24-0143-PAMAKA LAND HOLDINGS, LLC:

ZONE CHANGE to reclassify 3.85 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone.

Generally located on the northeast corner of Durango Drive and Ford Avenue within Enterprise. (description on file). JJ/jor (For possible action)

RELATED INFORMATION:

APN:

176-16-301-036

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.85
- Existing Land Use: Neighborhood Commercial (NC)

Applicant's Justification

This request complies with the Neighborhood Commercial (NC) Master Plan designation. Located immediately north of the proposed building is a mini-warehouse facility zoned CG (Commercial General) and designated NC (Neighborhood Commercial) in the Master Plan. Also to the north are 3 developed single family residences zoned RS20 and designated NC in the Master Plan. Immediately west across Durango Drive are developed residential parcels zoned (RS20) and designated NC in the Master Plan. The proposed zone change application is justified because the site fronts Durango Drive and is designated NC which allows a conforming rezone to a commercial zoning (CG). The proposed CG zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services, and office uses that serve the residents of the immediate neighborhood. This area is under development and the required public services and infrastructure are either constructed or under construction to service both residential and commercial uses in the area.

The proposed zoning and uses conform with the goals and policies outlined in the Master Plan for the County wide policies including Policy 5.1.1, Policy 6.1.2, Policy 6.2.3, and Policy 6.2.4. The project complies with the following specific Goals and pertinent policies for commercial developments for the Enterprise Planning area including Goal EN-1.1, Goal EN-2.1, Goal EN-6.5,

and Goal EN-6.6 which indicates that this request is appropriate for, and compatible with, existing uses, developments, and planned uses in the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	SmartStop Self Storage facility
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & RS20	Single family residential & undeveloped
West	Neighborhood Commercial	RS20	Single family residential

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

Related Applications

Application Number	Request
WS-24-0144	A waiver of development standards for residential adjacency standards, allow loading spaces within customer parking, reduce driveway approach distance, reduce driveway departure distance, and a design review for a proposed shopping center is a companion item on this agenda.
VS-24-0145	A request to vacate and abandon portions of rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. The Neighborhood Commercial planned land use designation is oriented north to south from Windmill Lane to Ford Avenue. Staff finds that the zoning designation trend within this area is geared toward commercial zoning. Ultimately, the applicant's request is a conforming change which aligns with existing CG and CP zoned parcels to the north. This request complies with Policy 6.1.6 which encourages in-fill development as a means to encourage reinvestment and sustainable development patterns. For these reasons, staff finds the request for the CG Zone is appropriate for this location.

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:

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0180-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MK ARCHITECTURE

CONTACT: MK ARCHITECTURE, 50 E. SERENE AVE. #414, LAS VEGAS, NV 89123

DRAFT



Department of Comprehensive Planning Application Form

13A

ASSESSOR PARCEL #(s): 176-16-301-036

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive and Ford Avenue

DETAILED SUMMARY PROJECT DESCRIPTION

Proposed Commercial Development consisting of 3 restaurants (2 with drive throughs) and one retail building.

PROPERTY OWNER INFORMATION

NAME: Pamaka Land Holdings, LLC
ADDRESS: 1901 Avenue of the Stars Suite 200
CITY: Los Angeles STATE: CA ZIP CODE: 90067
TELEPHONE: N/A CELL N/A EMAIL: N/A

APPLICANT INFORMATION

NAME: Stuart Apollo
ADDRESS: 3399 S. Durango Dr.
CITY: Las Vegas STATE: NV ZIP CODE: 89117 REF CONTACT ID # N/A
TELEPHONE: 702-709-0050 CELL N/A EMAIL: lodgetaverns@hotmail.com

CORRESPONDENT INFORMATION

NAME: Jay Brown/Lebene Ohene
ADDRESS: 520 South Fourth Street
CITY: Las Vegas STATE: NV ZIP CODE: 89101 REF CONTACT ID # 173835
TELEPHONE: 702-598-1429 CELL 702-561-7070 EMAIL: lohene@brownlawlv.com

*Correspondent will receive all project communication

(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.

Maurice A Kashfian
Property Owner (Signature)

Maurice A Kashfian
Property Owner (Print)

1/30/24
Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|--|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input checked="" type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | <input type="checkbox"/> OTHER _____ |

APPLICATION # (s) ZC-24-0143

ACCEPTED BY [Signature]

PC MEETING DATE _____

DATE 4/8/24

BCC MEETING DATE 6/5/24

TAB/CAC LOCATION Enterprise

DATE 5/15/24

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
FACSMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

April 2, 2024

Clark County Comprehensive Planning
Current Planning Division
500 Grand Central Parkway
Las Vegas Nevada 89155

PLANNER
COPY
2E-24-0143

RE: 32 Acres, LLC
Justification Letter – Revision 2: Durango Drive & Ford Avenue
Conforming Zone Change: RS20 to CG
Waivers of Development Standards: Access to local Streets; Reduce throat depth;
Alternative Off-site Standards and Reduce setback to Drive-throughs.
Design Review: For a shopping center.
Assessor’s Parcel Numbers: 176-16-301-036

To Whom It May Concern:

On behalf of our Client, 32 Acres, LLC., we respectfully submit this application package for a proposed Zone Change application package from Residential Single Family (RS20) zoning to Commercial General (CG) zoning for a proposed commercial development consisting of an office/retail building, a freestanding restaurant, and restaurants with two of the restaurants including drive-throughs. The parcel is located within the Enterprise Town Board Planning Area.

The proposed project is located on the and the east side of Durango Drive between Cougar Avenue to the north and Ford Avenue to the south. The parcel is a total of 3.85 acres. The current zoning of the site is RS20 with an NC Master Plan designation. North, across Cougar Avenue is an existing mini-warehouse facility zoned C-G, designated Neighborhood Commercial (NC) in the Master Plan. Also, north are developed residential parcels zoned Single Family Residential (RS20), designated as NC in the Master Plan. South, across Ford Avenue is a developed residential subdivision zoned Residential Single family 5.2 (RS5.2), designated as Mid-Intensity Suburban Neighborhood (MN) in the Master Plan. To the immediate east is a residential subdivision development zoned (RS3.3), and a portion of an undeveloped parcel zoned R20 and designated as Mid-Intensity Suburban Neighborhood (MN). West, across Durango are developed residential parcels zoned Single Family Residential (RS20) and designated as NC in the Master Plan.

Project Description:

The proposed shopping center is 35,800 square feet with four (4) buildings. Building “1” is located along a portion of the east side of the parcel and is a proposed 20,100 square foot building for office/retail uses. “Building “2” is located on the northern portion of the site adjacent to the frontage of both Durango Drive and Cougar Avenue and is a 5,600 square foot restaurant. Two (2) other restaurants (Building “3” & Building “4”) with drive-throughs are proposed on the southeastern portion of the site, each with 5,000 square feet. The drive-throughs

are located a minimum of 72 feet from the residential development to the east. The call boxes of the restaurants are more than 100 feet from the east property line (Building “3”) is 173 feet and (Building “4”) is 139 feet from the east property line and screened/buffered by a 23 foot minimum landscape area. The plans depict that the site is accessed by four (4) driveways; two (2) located on Durango Drive; one (1) on Cougar Avenue and one (1) on Ford Avenue. A total of 117 parking spaces are provided, where 102 parking spaces are required, which is within the 15% allowable increase in parking for the shopping center. Twelve (12) handicap accessible spaces and eight (8) bicycle spaces are provided. The required number of EV parking spaces are provided (11 capable and 4 installed). A total of four (4) trash enclosures are provided, screened, and buffered the proposed office/retail building along the east property line. The trash enclosures are designed to match the materials and colors of the buildings of the shopping center. Four (4) loading zones are located approximately 91 feet from the west property line and are screened. An eight (8) foot high wall is proposed along the east property line and its construction will comply with the required Code requirement.

Landscaping:

A landscaping area ranging from 24 foot 8 inches wide minimum and up 26 feet 4 inches wide with a five (5) foot wide detached sidewalk is depicted along Durango Drive. A landscaping area ranging from a 20 foot wide minimum and up 20 feet 3 inches wide with a five (5) foot wide detached sidewalk is depicted along Cougar Avenue. A landscaping area ranging from 23 feet 11 inches wide minimum with a five (5) foot wide detached sidewalk is depicted along Ford Avenue. A minimum 23 foot wide intense landscaping buffer is provided along the east property line adjacent to the existing residences and an undeveloped residential parcel. An additional five (5) foot wide landscape area is provided to screen and buffer the drive-throughs from the residential development along the east property line.

Elevations:

The buildings range from 18 feet up to 21 feet high to the top of the parapets. The building materials consist of stucco wall finishes with contrasting and complimentary colors. Design accents include stone veneers, painted metal awnings and strips, doors, and windows with aluminum and glass store front doors and windows. The colors consist of complementary and contrasting colors. The architectural design features, fenestrations and articulations comply with the design standards for a nonresidential development.

Floor Plans:

Building “1” is 20,200 square feet and will be divided into tenant spaces as needed. Building “2” is a 5,600 square foot restaurant. Buildings “3” & “4” are 5,000 square feet each.

Sustainability Provisions:

The project achieves a total of 8 sustainability points for a nonresidential project (shopping center). The following are the sustainability provisions incorporated into the design of the project: store

front doors and windows are low energy glass; All roof tops are flat with single ply membrane cooling materials; floor to ceiling heights are 12 feet; awnings provided over windows and doors; water efficient plannings are provided; 10% more trees are provided than required by Code and landscape buffers have plantings that are more than 50% than required by Code on all sides. Please see the Table with the provisions on the cover page of the project plans.

The following are the required applications for the project:

Conforming Zone Change:

A Zone Change is from Residential Single Family (RS20) zoning to Commercial General (CG) zoning for a proposed shopping center with four buildings for the following uses: office/retail, a freestanding restaurant, and two fast food restaurants with drive-throughs.

Justification:

The request is for a conforming Zone Change to CG zoning which complies with the Neighborhood Commercial (NC) Master Plan designation for the. Located immediately north of the proposed building is a mini warehouse facility zoned CG zoned and designated NC in the Master Plan. Also north, are three (3) developed single family residences zoned RS20 and designated NC in the Master Plan. Immediately east of the site is a developed single family subdivision zoned RS3.3 and designated MN. West, across Durango Drive are developed residential parcels zoned (RS20) and designated NC in the Master Plan.

The proposed zone change application is justified because the site fronts Durango Drive and is designated NC which allows neighbor serving commercial uses. The proposed CG zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services and offices uses that serve the residents of the immediate neighborhood. This area is under development and the required public services and infrastructure are either constructed or under construction to service both residential and commercial uses in the area. The proposed zoning and uses conforms with the goals and policies outlined in the Master Plan for the County wide policies including 5.1.1f 6.1.2 and 6.2.3, 6.2.4 and for the NC designation as far as the policies under the characteristics of the development. The project complies with the following specific Goals and pertinent policies for commercial developments for the Enterprise Planning area including EN-1.1, EN-2.1, EN-6.5 and EN-6.6 which indicates that this request is appropriate for and compatible with existing uses, developments and planned uses in the area. This project will not impact the existing residences to the east and the residential developments to the north, south and west.

Signage is not a part of this application.

Waivers of Development Standards:

- 1. Reduce the setback to two drive-throughs from the residential development to the east to a maximum of 72 feet where 200 feet is the standard.**

Justification:

The proposed drive-through window for the northern restaurant is a minimum of 72 feet and the southern restaurant is a minimum of 73 feet from the existing residential development to the east. The drive-through lanes of both restaurants are buffered/screened from the residential development by two landscape areas. The first landscaping (easternmost) area is a minimum of 27 foot wide area adjacent to the residences and consists of landscaping that complies with Code requirements. This landscape area and the proposed eight (8) foot high block wall also creates the required buffer. The second area is a 5 foot wide area which provides provided additional screening buffer and mitigates environment and visual impacts to the residential development. The call boxes, pay and pick-up windows are all set back a minimum of 136 feet from the east property line which also reduces noise, environmental and visual impact for the residential use.

- 2. Permit access to a local street (Ford Avenue).**

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the residential area to the south and east. This direct access from the areas to the east is a safe way for residents to access the site without accessing Durango Drive and attempting unsafe U-turns to access or depart the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Durango Drive, which is an arterial is planned for high volumes of traffic, to accommodate development in the area. This additional access will help reduce the conflicts on Durango Drive. Allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, to deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Durango Drive and Cougar Avenue.

- 3. Permit access to a local street (Cougar Avenue).**

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the residential area to the north and east. This direct access from the areas to the east is a safe way for residents to access the site without accessing Durango Drive and attempting unsafe U-turns to access or depart the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Durango Drive, which is an arterial is planned for high volumes of traffic, to accommodate development in the area. This additional access will help reduce the conflicts on Durango Drive. Allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, to deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Durango Drive and Ford Avenue.

- 4. Reduce the throat depth of the northern driveway (south) along Durango Drive to 18 feet 8 inches where a minimum of 25 feet is required.**

Justification:

This request is justified and will not have an impact on the adjacent street because three (3) other driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will back out of the parking stalls to impede vehicles that ingress and egress the site.

- 5. Reduce the approach distance to an intersection to 67 feet 3 inches where an approach distance of 150 feet is the standard.**

Justification:

This request is for the approach distance from the northernmost driveway to the intersection of Durango Drive and Cougar Avenue. Vehicles departing from the driveway and approaching the intersection will not be at the allowable speed on Durango Drive and will be at a lower speed, therefore, will not create an impact. Additionally, the vehicles will be in the right lane turn lane and, therefore, will be approaching the intersection at lower speed. The turn movements will not impact other vehicles traveling past the intersection and, therefore, will not slow down traffic on Durango Drive.

- 6. Reduce the departure distance from the intersection of Durango Drive to the driveway on Cougar Avenue to 158 feet 10 inches where a departure distance of 190 feet is the standard.**

Justification:

This request is necessary because the driveway on Cougar Avenue is less than 190 feet from the intersection. This subject driveway is setback as far east as possible to reduce impact to the intersection. Additionally, the driveway is placed at the proposed location to also reduce impact to any future residential uses on the undeveloped residential parcel to the east and the existing residences to the east.

- 7. Alternative Building Configuration with the largest building adjacent to residential uses where the largest buildings must be within the core of the site as required.**

Justification:

The largest building on the site is at the optimum location because of the depth of the lot and the other buildings the site. The building is setback, screened, buffered, and finished with

architectural details to ensure no impacts both visually and environmentally to the residential uses to the east. The building complies with setback and screening requirements.

Design Reviews:

- 1. A shopping center consisting of four (4) buildings: an office/retail building, a freestanding restaurant and two (2) restaurants with drive-throughs.**
- 2. Permit alternative designs for the loading areas depicted on the plans for the shopping center.**

Justification:

The proposed shopping center use is a community serving use with customers drawn from the immediate area. This use is an infill project on a site which is the only remaining undeveloped parcel in the half mile segment of the street frontage and the immediate area and fulfils the growth management requirements by developing on this site and maximizing the capacities of existing infrastructure and services. The loading areas are located at the optimum locations on the site to allow for easy access for the delivery vehicles. Adding the wing walls to these loading areas will achieve the intent of the Code but will rather impede access. Two (2) of the loading areas that may be visible from the street are more than 100 feet from the street and located to allow direct access and circulation. The loading areas are all screened and buffered from the residential uses by landscaping and located a minimum of 50 feet from the east property line.

The proposed zoning and uses conforms with goals and policies outlined in the Master Plan for the County wide policies including 5.1.1f 6.1.2 and 6.2.3, 6.2.4 and for the NC designation as far as the policies under the characteristics of the development. The project complies to the following specific Goals and pertinent policies for commercial developments for the Enterprise Planning area including EN-1.1, EN-2.1, EN-6.5 and EN-6.6 which indicates that this request is appropriate for and compatible with existing uses, developments and planned uses in the area. This project will not impact the existing residential developments in the adjacent area. Development of the site will also mitigate existing dust issues for the adjacent residential uses to the east and west. The submitted cross section indicates that the finished grade is lower than the standard allowed by Code.

We appreciate your review of this application and look forward to your comments to proceed with the application process for the project.

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

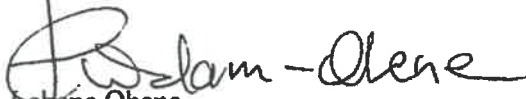
LAW OFFICE

Brown, Brown & Premsrut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Sincerely,

BROWN, BROWN & PREMSRIRUT



Letene Ohene
Land Use and Development Consultant

06/05/24 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-24-0145-PAMAKA LAND HOLDINGS, LLC:

VACATE AND ABANDON a portion of a right-of-way being Durango Drive located between Cougar Avenue and Ford Avenue, a portion of a right-of-way being Cougar Avenue located between Durango Drive and Gagnier Boulevard, and a portion of a right-of-way being Ford Avenue located between Durango Drive and Lisa Lane (alignment) within Enterprise (description on file). JJ/jor/ng (For possible action)

RELATED INFORMATION:

APN:
 176-16-301-036

LAND USE PLAN:
 ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The applicant is requesting to vacate portions of rights-of-way being Durango Drive, Cougar Avenue, and Ford Avenue. The intent is to vacate 5 feet of right-of-way to accommodate detached sidewalks for the proposed development.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	SmartStop Self Storage facility
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & RS20	Single family residential & undeveloped
West	Neighborhood Commercial	RS20	Single family residential

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

Related Applications

Application Number	Request
WS-24-0144	A waiver of development standards for residential adjacency standards, allow loading spaces within customer parking, reduce driveway approach distance, reduce driveway departure distance, and a design review for a proposed shopping center is a companion item on this agenda.

Related Applications

Application Number	Request
ZC-24-0143	A zone change request to reclassify the site from RS20 zoning to CG zoning is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include the spandrel in the northwest corner of the site at the intersection of Durango Drive and Cougar Avenue;
- 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 record required right-of-way dedications and any corresponding easements for any collector street or larger;
- 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.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MK ARCHITECTURE

CONTACT: MK ARCHITECTURE, 50 E. SERENE AVE. #414, LAS VEGAS, NV 89123

DRAFT



Department of Comprehensive Planning Application Form

14A

ASSESSOR PARCEL #(s): 176-16-301-036

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive and Ford Avenue

DETAILED SUMMARY PROJECT DESCRIPTION

Proposed Commercial Development consisting of 3 restaurants (2 with drive throughs) and one retail building.

PROPERTY OWNER INFORMATION

NAME: Pamaka Land Holdings, LLC
 ADDRESS: 1901 Avenue of the Stars Suite 200
 CITY: Los Angeles STATE: CA ZIP CODE: 90067
 TELEPHONE: N/A CELL: N/A EMAIL: N/A

APPLICANT INFORMATION

NAME: Stuart Apollo
 ADDRESS: 3399 S. Durango Dr.
 CITY: Las Vegas STATE: NV ZIP CODE: 89117 REF CONTACT ID # N/A
 TELEPHONE: 702-709-0050 CELL: N/A EMAIL: lodgetaverns@hotmail.com

CORRESPONDENT INFORMATION

NAME: Jay Brown/Lebene Ohene
 ADDRESS: 520 South Fourth Street
 CITY: Las Vegas STATE: NV ZIP CODE: 89101 REF CONTACT ID # 173835
 TELEPHONE: 702-598-1429 CELL: 702-561-7070 EMAIL: lohene@brownlawlv.com

*Correspondent will receive all project communication

(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 and 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.

[Handwritten Signature]
 Property Owner (Signature)

Maurice A Kashfian
 Property Owner (Print)

1/30/24
 Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|--------------------------------------|
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| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input checked="" type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | <input type="checkbox"/> OTHER _____ |

APPLICATION # (s) VS-21-0145

ACCEPTED BY [Signature]

PC MEETING DATE _____

DATE 4/8/24

BCC MEETING DATE 6/5/24

TAB/CAC LOCATION Enterprise

DATE 5/15/24



February 28, 2024

**PLANNER
COPY**
VS-24-0145

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

**Re: Durango & Ford Commercial - Vacation of Public Right-of-Way
(APN(s): 176-16-301-036)**

Dear Planner,

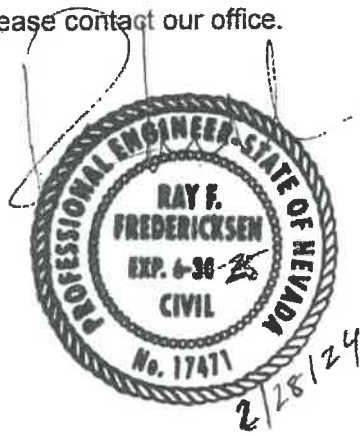
Per4mance Engineering, LLC. on behalf of the applicant, Pamaka Land Holdings, llc., respectfully submits this justification letter in support of the Vacation application for the subject development. The request is to vacate 5-ft of Public Right-of-Way along Durango Drive, Ford Avenue, and Cougar Avenue. This request is required in Clark County Development Code when there are detached sidewalks associated with the project and the adjacent roadway is already dedicated.

Please refer to the enclosed legals and exhibits for a more detailed description and exhibit of the vacations.

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.
President



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0144-PAMAKA LAND HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards; 2) loading spaces 3) reduce driveway approach distance; and 4) reduce driveway departure distance.

DESIGN REVIEW for a proposed shopping center on 3.85 acres in a CG (Commercial General) Zone.

Generally located on the northeast corner of Durango Drive and Ford Avenue within Enterprise. JJ/jor/ng (For possible action)

RELATED INFORMATION:

APN:

176-16-301-036

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce a proposed drive-thru lane setback to 72 feet where 200 feet is the standard per Section 30.04.06.E (a 64% reduction).
- b. Allow nonresidential access to a local street (Ford Avenue and Cougar Avenue) where nonresidential development access is not permissible per Section 30.40.06.D.
- c. Allow the largest proposed building adjacent to a residential land use where the largest structure of a multiple building development must be within the core of the site per Section 30.04.06.G.
2. Allow loading spaces within customer parking where not permitted per Section 30.04.04.
3. Reduce the proposed driveway approach distance to 67 feet, 3 inches where 150 feet is the minimum required per Uniform Standard Drawing 222.1 (a 55% reduction).
4. Reduce the proposed driveway departure distance to 158 feet, 10 inches where 190 feet is the minimum required per Uniform Standard Drawing 222.1 (a 17% reduction).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.85
- Project Type: Shopping center
- Number of Stories: 1

- Building Height (feet): 21
- Square Feet: 20,200 (Building 1 - Retail)/5,600 (Building 2 – Restaurant)/5,000 (Building 3 – Restaurant with a drive-thru)/5,000 (Building 4 – Restaurant with a drive-thru)
- Parking Required/Provided: 102/117
- Sustainability Required/Provided: 7/8

Site Plan & Request

The site plan depicts a 3.85 acre parcel on the southside of Cougar Avenue, the east side of Durango Drive, and the north side of Ford Avenue. The applicant is proposing a shopping center comprised of a restaurant building pad (Building 2) on the northwest corner of the parcel, and a retail building (Building 1) on the northeast portion of the site. The southern half of the proposed shopping center includes 2 restaurant buildings (Buildings 3 and 4) with drive-thru lanes.

The building setbacks are as follows:

	North (Cougar Avenue)	South (Ford Avenue)	East (Residential Use)	West (Durango Drive)
Building 1	126 feet	286 feet	36 feet	150 feet
Building 2	20 feet	224 feet	170 feet	16 feet
Building 3	390 feet	170 feet	84 feet	88 feet, 10 inches
Building 4	470 feet	89 feet	88 feet	84 feet

Access to the site is via 1 driveway on the northeast corner (along Cougar Avenue), 2 driveways along the west property line adjacent to Durango Drive, and 1 driveway on the southeast corner along Ford Avenue. 117 parking spaces are provided where 102 parking spaces are required per Title 30.

The applicant is requesting to reduce the drive-thru lane setback to 72 feet where 200 feet is the standard per Code. Both Building 3 and Building 4 include drive-thru lanes, however, this request is related to Building 3 since the proposed drive-thru lane is set back 72 feet from the residential use to the east. The applicant is also requesting to allow nonresidential access to a local street to the north being Cougar Avenue and to the south being Ford Avenue. Furthermore, the applicant is requesting to allow an alternative building configuration. The largest building on-site is Building 1, and the applicant is proposing to place this building adjacent to a residential use to the east, and not within the core of the site. In addition, the applicant is requesting to allow loading spaces to be within the customer parking area, east of Building 2 and southeast of Building 1. The remaining waivers of development standards are associated with proposed driveway approach and departure distance dimensions. Lastly, a design review for the overall shopping center is a part of this request.

Landscaping

The landscape plan shows detached sidewalks with street landscaping along Ford Avenue (south), Durango Drive (west), and Cougar Avenue (north). The applicant is proposing 8 large trees planted 30 feet on center along the south property line where 7 large trees are required per Code. In addition, the plan also shows 18 large street trees to be planted along Durango Drive where 15 large trees are required per Title 30. Furthermore, 8 large trees will be planted along the north property line (adjacent to Cougar Avenue) where 7 large trees are required per Title 30. The plan also shows a sufficient amount of parking lot landscape finger islands throughout the proposed shopping center. Lastly, the applicant is proposing a 24 foot to 35 foot wide landscape buffer along the east property line, with a double row of large trees adjacent to a proposed 8 foot high wall.

Elevations & Floor Plans

Building 1 has an overall height of 21 feet to the top of the parapet roof and has an overall area of 20,200 square feet. Building 2 has an overall height of 21 feet and has an overall building area of 5,600 square feet. Buildings 3 and 4 are similar in design and both have an overall height of 21 feet. These buildings will be future restaurants with a drive-thru lane for each building. All 4 buildings have exterior architectural elements which include storefront and window systems, canopies, stucco walls, Alumaboard siding, and faux stone paneling. All buildings are 1 story only.

Applicant's Justification

The proposed drive-thru lanes of both restaurants (Buildings 3 & 4) are buffered/screened from the residential development by 2 landscape areas. The first landscaping area (easternmost) is a minimum 27 foot wide area adjacent to the residences and consists of landscaping that complies with Code requirements. This landscape area and the proposed 8 foot high block wall also creates the required buffer. The second area is a 5 foot wide area which provides additional screening buffer and mitigates environment and visual impacts to the residential development. The call boxes, pay, and pick-up windows are all set back a minimum of 136 feet from the east property line which also reduces noise and visual impacts to the adjacent residential use.

The applicant is also requesting a waiver to allow direct access (ingress/egress) to the site from local streets (Ford Avenue & Cougar Avenue) to serve the residential area to the south and east. This direct access is a safe way for residents to access the site without accessing Durango Drive and attempting unsafe turns to access or depart the proposed shopping center. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Durango Drive.

In addition, the applicant is requesting to allow an alternative building configuration where the largest proposed building is adjacent to a residential land use. The largest building (Building 1) on the site is at the optimum location because of the depth of the lot and placement of the other buildings on the site. Building 1 is set back, screened, buffered, and finished with architectural details to ensure no impacts both visually and environmentally to the residential uses to the east. The building complies with setback and screening requirements.

Furthermore, the proposed loading spaces are located at the optimum locations on the site to allow for easy access for the delivery vehicles. The loading spaces southeast of Building 1 includes a wing wall and is buffered with landscaping. The loading space east of Building 2 is adjacent to the street landscaping along Cougar Avenue.

Lastly, the applicant is requesting waivers of development standards regarding driveway geometrics. These requests are justified and will not have an impact on the adjacent street because additional driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will back out of the parking stalls to impede vehicles that ingress and egress the site. The applicant is also requesting to reduce the driveway approach distance from the northernmost driveway to the intersection of Durango Drive and Cougar Avenue. Vehicles departing from the driveway and approaching the intersection will not be at the allowable speed on Durango Drive and will be at a lower speed, therefore, will not create an impact. The turn movements will not impact other vehicles traveling past the intersection; therefore, will not slow down traffic on Durango Drive.

The waiver to reduce the driveway departure distance is justified because the subject driveway is set back as far east as possible to reduce impact to the intersection. Additionally, the driveway is placed at the proposed location to also reduce impacts to any future residential uses on the undeveloped portion of the residential parcel to the east and the existing residences to the east.

The project complies to the following specific Goals and pertinent policies for commercial developments for the Enterprise Planning area including EN-1.1, EN-2.1, EN-6.5 and EN-6.6 which indicates that this request is appropriate for, and compatible with, existing uses, developments, and planned uses in the area. This project will not impact the existing residential developments in the adjacent area.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	SmartStop Self Storage facility
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & RS20	Single family residential & undeveloped
West	Neighborhood Commercial	RS20	Single family residential

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

Related Applications

Application Number	Request
VS-24-0145	A request to vacate and abandon portions of rights-of-way is a companion item on this agenda.
ZC-24-0143	A zone change request to reclassify the site from RS20 zoning to CG zoning is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1a

Staff does not support the proposed drive-thru lane setback of 72 feet where 200 feet is the standard per Code. Proper setbacks and residential adjacency standards promote compatible transitions between zoning districts and proposed uses of differing intensities to reduce potential negative impacts that may occur when a higher intensity site design, such as a drive-thru lane, is located in close proximity to an existing residential subdivision. Staff finds that an ample amount of vehicular traffic, noise/light pollution, and reduced air quality due to idling vehicles will negatively impact the adjacent residences to the east; therefore, staff cannot support this request.

Waiver of Development Standards #1b

The applicant is requesting to allow nonresidential access to local streets (Ford Avenue & Cougar Avenue) where nonresidential development access is not permissible per Section 30.40.06.D. The proposed driveways allow patrons to access the shopping center without having to utilize Durango Drive as the only point of ingress/egress. Staff finds that providing additional points of ingress/egress to a proposed shopping center allows for better vehicular circulation and access to the different establishments within the shopping center.

Waiver of Development Standards #1c

The applicant is requesting to allow the largest proposed building (Building 1) to be adjacent to a residential land use to the east. Per Section 30.04.06.G., the largest structure of a multiple building development must be within the core of the site. The site plan shows Building 1 as a 20,200 square foot retail building located on the northeast portion of the proposed shopping center. Building 1 is the largest building in terms of overall area, however, all proposed buildings

on site are 1 story, with a maximum height of 21 feet. Furthermore, the applicant is providing a minimum 25 foot wide landscape area with a double row of large trees with a proposed 8 foot high wall. Staff finds that Building 1 is appropriately buffered and is only 1 story; therefore, staff supports this request.

Waiver of Development Standards #2

The site plan shows 2 proposed loading spaces, the first being on the east side of Building 2, set back approximately 41 feet south of the north property line (Cougar Avenue). The second loading space is located southeast of Building 1, and set back 50 feet from the residences to the east. Section 30.04.04 states that loading spaces shall be separate from customer parking, and pedestrian walkways shall not cross these areas. Staff finds that location of the proposed loading spaces do not negatively affect the site and allow for optimum accessibility by the future tenant's delivery vehicles. Furthermore, the applicant provided a wingwall for the loading space southeast of Building 1 and the loading space east of Building 2 is buffered by street landscaping and is not within the central parking area. Staff recommends approval.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. The proposed shopping center includes a building design, landscaping, and buffering that is appropriate and architecturally enhances the site. The proposed shopping center provides ample site circulation, parking, and numerous pedestrian walkways.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced approach distance for the northernmost driveway on Durango Drive. The applicant worked with staff on the driveway design, and even though the approach distance does not comply with the minimum standards, staff finds the location allows vehicles to safely access the site.

Waiver of Development Standards #4

Staff has no objection to the reduction in the departure distance for the commercial driveway on Cougar Avenue. The applicant has placed the driveway as far east as the site will allow.

Staff Recommendation

Approval of waivers of development standards #1b, #1c, #2, #3, #4, and the design review; denial of waiver of development standards #1a.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance;
- 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 within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include the spandrel in the northwest corner of the site at the intersection of Durango Drive and Cougar Avenue;
- 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 record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require vacation to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0180-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MK ARCHITECTURE
CONTACT: MK ARCHITECTURE, 50 E. SERENE AVE. #414, LAS VEGAS, NV 89123

DRAFT



Department of Comprehensive Planning Application Form

15A

ASSESSOR PARCEL #(s): 176-16-301-036

PROPERTY ADDRESS/ CROSS STREETS: Durango Drive and Ford Avenue

DETAILED SUMMARY PROJECT DESCRIPTION

Proposed Commercial Development consisting of 3 restaurants (2 with drive throughs) and one retail building.

PROPERTY OWNER INFORMATION

NAME: Pamaka Land Holdings, LLC
 ADDRESS: 1901 Avenue of the Stars Suite 200
 CITY: Los Angeles STATE: CA ZIP CODE: 90067
 TELEPHONE: N/A CELL N/A EMAIL: N/A

APPLICANT INFORMATION

NAME: Stuart Apollo
 ADDRESS: 3399 S. Durango Dr.
 CITY: Las Vegas STATE: NV ZIP CODE: 89117 REF CONTACT ID # N/A
 TELEPHONE: 702-709-0050 CELL N/A EMAIL: lodgetaverna@hotmail.com

CORRESPONDENT INFORMATION

NAME: Jay Brown/Lebene Ohene
 ADDRESS: 520 South Fourth Street
 CITY: Las Vegas STATE: NV ZIP CODE: 89101 REF CONTACT ID # 173835
 TELEPHONE: 702-598-1429 CELL 702-561-7070 EMAIL: lohene@brownlawlv.com

*Correspondent will receive all project communication

(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.

[Handwritten Signature]
 Property Owner (Signature)*

Maurice A Kashfian
 Property Owner (Print)

1/30/24
 Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|--|------------------------------|-------------------------------|-----------------------------|-----------------------------|--|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input checked="" type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input checked="" type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | <input type="checkbox"/> OTHER _____ |

APPLICATION # (s) WS-24-0144

ACCEPTED BY [Signature]

PC MEETING DATE _____

DATE 4/18/24

BCC MEETING DATE 6/05/24

TAB/CAC LOCATION Enterprise

DATE 5/15/24

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
FACSMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

April 2, 2024

Clark County Comprehensive Planning
Current Planning Division
500 Grand Central Parkway
Las Vegas Nevada 89155

PLANNER
COPY

WS-24-0144

RE: 32 Acres, LLC
Justification Letter – Revision 2: Durango Drive & Ford Avenue
Conforming Zone Change: RS20 to CG
Waivers of Development Standards: Access to local Streets; Reduce throat depth;
Alternative Off-site Standards and Reduce setback to Drive-throughs.
Design Review: For a shopping center.
Assessor's Parcel Numbers: 176-16-301-036

To Whom It May Concern:

On behalf of our Client, 32 Acres, LLC., we respectfully submit this application package for a proposed Zone Change application package from Residential Single Family (RS20) zoning to Commercial General (CG) zoning for a proposed commercial development consisting of an office/retail building, a freestanding restaurant, and restaurants with two of the restaurants including drive-throughs. The parcel is located within the Enterprise Town Board Planning Area.

The proposed project is located on the and the east side of Durango Drive between Couger Avenue to the north and Ford Avenue to the south. The parcel is a total of 3.85 acres. The current zoning of the site is RS20 with an NC Master Plan designation. North, across Couger Avenue is an existing mini-warehouse facility zoned C-G, designated Neighborhood Commercial (NC) in the Master Plan. Also, north are developed residential parcels zoned Single Family Residential (RS20), designated as NC in the Master Plan. South, across Ford Avenue is a developed residential subdivision zoned Residential Single family 5.2 (RS5.2), designated as Mid-Intensity Suburban Neighborhood (MN) in the Master Plan. To the immediate east is a residential subdivision development zoned (RS3.3), and a portion of an undeveloped parcel zoned R20 and designated as Mid-Intensity Suburban Neighborhood (MN). West, across Durango are developed residential parcels zoned Single Family Residential (RS20) and designated as NC in the Master Plan.

Project Description:

The proposed shopping center is 35,800 square feet with four (4) buildings. Building "1" is located along a portion of the east side of the parcel and is a proposed 20,100 square foot building for office/retail uses. "Building "2" is located on the northern portion of the site adjacent to the frontage of both Durango Drive and Cougar Avenue and is a 5,600 square foot restaurant. Two (2) other restaurants (Building "3" & Building "4") with drive-throughs are proposed on the southeastern portion of the site, each with 5,000 square feet. The drive-throughs

are located a minimum of 72 feet from the residential development to the east. The call boxes of the restaurants are more than 100 feet from the east property line (Building "3") is 173 feet and (Building "4") is 139 feet from the east property line and screened/buffered by a 23 foot minimum landscape area. The plans depict that the site is accessed by four (4) driveways; two (2) located on Durango Drive; one (1) on Cougar Avenue and one (1) on Ford Avenue. A total of 117 parking spaces are provided, where 102 parking spaces are required, which is within the 15% allowable increase in parking for the shopping center. Twelve (12) handicap accessible spaces and eight (8) bicycle spaces are provided. The required number of EV parking spaces are provided (11 capable and 4 installed). A total of four (4) trash enclosures are provided, screened, and buffered the proposed office/retail building along the east property line. The trash enclosures are designed to match the materials and colors of the buildings of the shopping center. Four (4) loading zones are located approximately 91 feet from the west property line and are screened. An eight (8) foot high wall is proposed along the east property line and its construction will comply with the required Code requirement.

Landscaping:

A landscaping area ranging from 24 foot 8 inches wide minimum and up 26 feet 4 inches wide with a five (5) foot wide detached sidewalk is depicted along Durango Drive. A landscaping area ranging from a 20 foot wide minimum and up 20 feet 3 inches wide with a five (5) foot wide detached sidewalk is depicted along Cougar Avenue. A landscaping area ranging from 23 feet 11 inches wide minimum with a five (5) foot wide detached sidewalk is depicted along Ford Avenue. A minimum 23 foot wide intense landscaping buffer is provided along the east property line adjacent to the existing residences and an undeveloped residential parcel. An additional five (5) foot wide landscape area is provided to screen and buffer the drive-throughs from the residential development along the east property line.

Elevations:

The buildings range from 18 feet up to 21 feet high to the top of the parapets. The building materials consist of stucco wall finishes with contrasting and complimentary colors. Design accents include stone veneers, painted metal awnings and strips, doors, and windows with aluminum and glass store front doors and windows. The colors consist of complementary and contrasting colors. The architectural design features, fenestrations and articulations comply with the design standards for a nonresidential development.

Floor Plans:

Building "1" is 20,200 square feet and will be divided into tenant spaces as needed. Building "2" is a 5,600 square foot restaurant. Buildings "3" & "4" are 5,000 square feet each.

Sustainability Provisions:

The project achieves a total of 8 sustainability points for a nonresidential project (shopping center). The following are the sustainability provisions incorporated into the design of the project: store

front doors and windows are low energy glass; All roof tops are flat with single ply membrane cooling materials; floor to ceiling heights are 12 feet; awnings provided over windows and doors; water efficient plantings are provided; 10% more trees are provided than required by Code and landscape buffers have plantings that are more than 50% than required by Code on all sides. Please see the Table with the provisions on the cover page of the project plans.

The following are the required applications for the project:

Conforming Zone Change:

A Zone Change is from Residential Single Family (RS20) zoning to Commercial General (CG) zoning for a proposed shopping center with four buildings for the following uses: office/retail, a freestanding restaurant, and two fast food restaurants with drive-throughs.

Justification:

The request is for a conforming Zone Change to CG zoning which complies with the Neighborhood Commercial (NC) Master Plan designation for the. Located immediately north of the proposed building is a mini warehouse facility zoned CG zoned and designated NC in the Master Plan. Also north, are three (3) developed single family residences zoned RS20 and designated NC in the Master Plan. Immediately east of the site is a developed single family subdivision zoned RS3.3 and designated MN. West, across Durango Drive are developed residential parcels zoned (RS20) and designated NC in the Master Plan.

The proposed zone change application is justified because the site fronts Durango Drive and is designated NC which allows neighbor serving commercial uses. The proposed CG zoning complies with the intent of the Master Plan to provide opportunities for compact nodes of low intensity retail, services and offices uses that serve the residents of the immediate neighborhood. This area is under development and the required public services and infrastructure are either constructed or under construction to service both residential and commercial uses in the area. The proposed zoning and uses conforms with the goals and policies outlined in the Master Plan for the County wide policies including 5.1.1f 6.1.2 and 6.2.3, 6.2.4 and for the NC designation as far as the policies under the characteristics of the development. The project complies with the following specific Goals and pertinent policies for commercial developments for the Enterprise Planning area including EN-1.1, EN-2.1, EN-6.5 and EN-6.6 which indicates that this request is appropriate for and compatible with existing uses, developments and planned uses in the area. This project will not impact the existing residences to the east and the residential developments to the north, south and west.

Signage is not a part of this application.

Waivers of Development Standards:

1. Reduce the setback to two drive-throughs from the residential development to the east to a maximum of 72 feet where 200 feet is the standard.

Justification:

The proposed drive-through window for the northern restaurant is a minimum of 72 feet and the southern restaurant is a minimum of 73 feet from the existing residential development to the east. The drive-through lanes of both restaurants are buffered/screened from the residential development by two landscape areas. The first landscaping (easternmost) area is a minimum of 27 foot wide area adjacent to the residences and consists of landscaping that complies with Code requirements. This landscape area and the proposed eight (8) foot high block wall also creates the required buffer. The second area is a 5 foot wide area which provides provided additional screening buffer and mitigates environment and visual impacts to the residential development. The call boxes, pay and pick-up windows are all set back a minimum of 136 feet from the east property line which also reduces noise, environmental and visual impact for the residential use.

2. Permit access to a local street (Ford Avenue).

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the residential area to the south and east. This direct access from the areas to the east is a safe way for residents to access the site without accessing Durango Drive and attempting unsafe U-turns to access or depart the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Durango Drive, which is an arterial is planned for high volumes of traffic, to accommodate development in the area. This additional access will help reduce the conflicts on Durango Drive. Allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, to deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Durango Drive and Cougar Avenue.

3. Permit access to a local street (Cougar Avenue).

Justification:

This waiver is necessary to allow direct access (ingress/egress) to the site from the local street to serve the residential area to the north and east. This direct access from the areas to the east is a safe way for residents to access the site without accessing Durango Drive and attempting unsafe U-turns to access or depart the site. This also provides optimum on-site circulation which allows neighborhood traffic to access the site without accessing Durango Drive, which is an arterial is planned for high volumes of traffic, to accommodate development in the area. This additional access will help reduce the conflicts on Durango Drive. Allowing access to the street for safety reasons is reasonable in this case, to provide access for the neighbors in the immediate area, to deter and or reduce unsafe maneuvers in both streets and reduce vehicular conflicts on Durango Drive and Ford Avenue.

- 4. Reduce the throat depth of the northern driveway (south) along Durango Drive to 18 feet 8 inches where a minimum of 25 feet is required.**

Justification:

This request is justified and will not have an impact on the adjacent street because three (3) other driveways are provided to the site. The design of the site allows no parking spaces adjacent to the driveway, which eliminates direct vehicular conflicts at the driveway. No vehicles will back out of the parking stalls to impede vehicles that ingress and egress the site.

- 5. Reduce the approach distance to an intersection to 67 feet 3 inches where an approach distance of 150 feet is the standard.**

Justification:

This request is for the approach distance from the northernmost driveway to the intersection of Durango Drive and Cougar Avenue. Vehicles departing from the driveway and approaching the intersection will not be at the allowable speed on Durango Drive and will be at a lower speed, therefore, will not create an impact. Additionally, the vehicles will be in the right lane turn lane and, therefore, will be approaching the intersection at lower speed. The turn movements will not impact other vehicles traveling past the intersection and, therefore, will not slow down traffic on Durango Drive.

- 6. Reduce the departure distance from the intersection of Durango Drive to the driveway on Cougar Avenue to 158 feet 10 inches where a departure distance of 190 feet is the standard.**

Justification:

This request is necessary because the driveway on Cougar Avenue is less than 190 feet from the intersection. This subject driveway is setback as far east as possible to reduce impact to the intersection. Additionally, the driveway is placed at the proposed location to also reduce impact to any future residential uses on the undeveloped residential parcel to the east and the existing residences to the east.

- 7. Alternative Building Configuration with the largest building adjacent to residential uses where the largest buildings must be within the core of the site as required.**

Justification:

The largest building on the site is at the optimum location because of the depth of the lot and the other buildings the site. The building is setback, screened, buffered, and finished with