



ENTERPRISE TOWN ADVISORY BOARD

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

June 29, 2022
6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702)371-7991 or chaves70@yahoo.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/EnterpriseTAB>.

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

Barris Kaiser – Vice Chair
Joseph Throneberry

Secretary: Carmen Hayes (702) 371-7991 chaves70@yahoo.com
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

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

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

- III. Approval of Minutes for June 15, 2022. (For possible action)
- IV. Approval of the Agenda for June 29, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **NZC-22-0305-GRAND CANYON LLC & NAHAI ILIEN:**
ZONE CHANGE to reclassify 15.9 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to reduce street width.
DESIGN REVIEW for a single family residential development. Generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**
 - 2. **NZC-22-0317-LEBARON INDUSTRIAL 87, LLC:**
ZONE CHANGE to reclassify 18.8 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce street width; and **3)** street dedication.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**
 - 3. **VS-22-0318-LEBARON INDUSTRIAL 87, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Le Baron Avenue, and between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Jo Rae Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Le Baron Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Pyle Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Dean Martin Drive located between Pyle Avenue and Le Baron Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**
 - 4. **TM-22-500106-LEBARON INDUSTRIAL 87, LLC:**
TENTATIVE MAP consisting of 70 single family residential lots and common lots on 18.8 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise. JJ/rk/jo (For possible action) **07/19/22 PC**

5. **NZC-22-0324-GUNN DOREEN FAMILY TRUST & GUNN DOREEN & JAMES TRS:**
ZONE CHANGE to reclassify 0.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.
DESIGN REVIEW for a retail building (coffee shop) with drive-thru service. Generally located on the south side of Cactus Avenue, 250 feet west of Dean Martin Drive within Enterprise (description on file). JJ/rk/tk (For possible action) **07/19/22 PC**

6. **VS-22-0304-LOCKE JOHN MARSHALL & AUDRIE:**
VACATE AND ABANDON easements of interest to Clark County located between Schirlls Street and Hinson Street and between Arby Avenue and Capovilla Avenue within Enterprise (description on file). MN/nr/tk (For possible action) **07/19/22 PC**

7. **UC-22-0303-LOCKE JOHN MARSHALL & AUDRIE:**
USE PERMIT to allow an accessory structure larger than one half the footprint of the existing principal dwelling.
WAIVER OF DEVELOPMENT STANDARDS for modified driveway design in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Arby Avenue, 208 feet east of Schirlls Street within Enterprise. MN/nr/tk (For possible action) **07/19/22 PC**

8. **UC-22-0314-LV CACTUS SCHIRLLS, LLC:**
USE PERMIT for a pawn shop.
DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Cactus Avenue and Schirlls Street within Enterprise. JJ/bb/syp (For possible action) **07/19/22 PC**

9. **UC-22-0316-RIVIERA SHOPPING CENTER LTD:**
USE PERMIT for a pawn shop.
WAIVERS OF DEVELOPMENT STANDARDS to reduce the separation between a pawn shop and a residential use.
DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Cimarron Road and the south side of Blue Diamond Road within Enterprise. JJ/md/syp (For possible action) **07/19/22 PC**

10. **VS-22-0326-KELEGIAN SHELLY:**
VACATE AND ABANDON an easement of interest to Clark County located between Cameron Street and Decatur Boulevard and between Blue Diamond Road and Ford Avenue within Enterprise (description on file). JJ/sd/syp (For possible action) **07/19/22 PC**

11. **WS-22-0323-HORTON, TONIA & MARK L.:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the northeast corner of Warbonnet Way and Cougar Avenue within Enterprise. JJ/jor/syp (For possible action) **07/19/22 PC**

12. **ET-22-400075 (NZC-18-1028)-PN II, INC.:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 15.0 acres from R-E (Rural Estates Residential) Zone to R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue and the west side of Fairfield Avenue (alignment) within Enterprise (description on file). MN/lm/tk (For possible action) **07/20/22 BCC**
13. **UC-22-0288-NEVADA INVESTMENT ASSN GRP, LLC:**
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) increase building height; 3) not provide a sidewalk between parking spaces and a building; and 4) reduce throat depth.
DESIGN REVIEW for a mini-warehouse facility on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the northwest corner of Warm Springs Road and La Cienega Street within Enterprise. MN/jt/syp (For possible action) **07/20/22 BCC**
14. **WC-22-400074 (NZC-1563-04)-DIAMOND BLUE LP:**
WAIVER OF CONDITION of a zone change requiring providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road on 1.7 acres in a C-1 (Local Business) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise (description on file). JJ/jad/syp (For possible action) **07/20/22 BCC**
15. **VS-22-0329-DIAMOND BLUE, LP:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue, and between Westwind Road and Lindell Road within Enterprise (description on file). JJ/md/syp (For possible action) **07/20/22 BCC**
16. **UC-22-0313-DIAMOND BLUE LP:**
USE PERMITS for the following: 1) convenience store; 2) reduced separation from a convenience store to a residential use; 3) gasoline station; 4) reduced separation from a gasoline station to a residential use; and 5) secondhand sales.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) shopping center on 3.9 acres in a C-1 (Local Business) Zone and H-2 (General Highway Frontage) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise. JJ/jad/syp (For possible action) **07/20/22 BCC**
17. **ZC-22-0321-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 6.5 acres from an H-1 (Limited Resort and Apartment) Zone and an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) driveway geometrics.
DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) hammerhead street design; and 3) finished grade. Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise (description on file). MN/sd/jo (For possible action) **07/20/22 BCC**

18. **VS-22-0322-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: VACATE AND ABANDON** easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Giles Street and Haven Street and a portion of a right-of-way being Pyle Avenue between Haven Street and Giles Street and a portion of right-of-way being Giles Street between Pyle Avenue and Jo Rae Avenue (alignment) within Enterprise (description on file). MN/sd/syp (For possible action) **07/20/22 BCC**

19. **TM-22-500107-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: TENTATIVE MAP** consisting of 48 single family residential lots and common lots on 6.5 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise. MN/sd/jo (For possible action) **07/20/22 BCC**

VII. General Business

1. None.

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

IX. Next Meeting Date: July 13, 2022.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
 Windmill Library – 7060 W. Windmill Lane
 Clark County Government Center – 500 S. Grand Central Pkwy
<https://notice.nv.gov>



Enterprise Town Advisory Board

June 15, 2022

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Justin Maffett PRESENT	Barris Kaiser, Vice Chair PRESENT Joseph Throneberry PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com EXCUSED	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com EXCUSED Mike Shannon 702-455-8338 mds@clarkcountynv.gov 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.

Brady Bernhart, 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.

A citizen made the following comments:

- **Supports development and conservation.**
- **The water supply from Lake Mead needs to be considered as planning constraint.**
- **New projects with higher densities, increase the need for additional water.**
- **There must be coordination between valley regional authorities for water and construction planning.**
- **Concern long time landowners in RE areas that have paid taxes for years are constrained from developing due to sewer requirements.**

III. Approval of Minutes for June 1, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for June 1, 2022.

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

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

IV. Approval of Agenda for June 15, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

Related applications to be heard together:

1. NZC-22-0249-WATTOO FAMILY L P.
2. VS-22-0250-WATTOO FAMILY LP:
3. TM-22-500085-WATTOO FAMILY LP:

4. NZC-22-0254-VAN 86 HOLDINGS TRUST:
5. VS-22-0255-VAN 86 HOLDINGS TRUST:
6. TM-22-500087-VAN 86 HOLDINGS TRUST:

13. WC-22-400072 (ZC-1252-99)-WARMSPRINGS DEV, LLC:
14. VS-22-0293-WARMSPRINGS DEV, LLC:
15. UC-22-0292-WARMSPRINGS DEV, LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - **Clark County's Title 30 Update is Underway!**
TITLE 30 UPDATE: INSTALLMENT 1

After adopting the Transform Clark County Master Plan in November, the County has been working to implement the community vision through updates to Title 30 (the Development Code). The first installment of the Draft Development Code deals with zoning districts and land use regulations. You can review and comment on both parts of this first installment until June 30, 2022.

<https://transformclarkcounty.konveio.com/title-30-installment-1-districts>

<https://transformclarkcounty.konveio.com/title-30-installment-1-uses>

- **Land use documents**

The following documents can be found on the County website

Use [Document Image Search Site](#) to access the following:

- Land Use (Zoning) Pre-Meeting Applications to access documents for applications that are currently being processed by the department.
- Land Use (Zoning) Applications to access documents related to applications that are complete and no longer being processed by the department.
- Land Use (Zoning) Research to access documents such as agendas, ordinances, development agreements, minutes, and notice of final actions.

VI. Planning & Zoning

1. **NZC-22-0249-WATTOO FAMILY L P:**

ZONE CHANGE to reclassify 3.8 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) for a single family residential development; and 2) finished grade. Generally located on the east side of Buffalo Drive and the north side of Haleh Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **06/21/22 PC**

Motion by David Chestnut

Action: **APPROVE** Zone Change;

APPROVE Waiver of Development Standards

DENY Design Review #1

APPROVED Design Review #2

ADD Current Planning Conditions:

- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way.
- Every two driveways to be adjacent where possible.
- Increase fenestrations on elevations facing public roads.

ADD Public Works - Development Review conditions.

- **ADD** an additional entrance/exit.

Per staff conditions

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

2. **VS-22-0250-WATTOO FAMILY LP:**

VACATE AND ABANDON easements of interest to Clark County located between Mountains Edge Parkway and Haleh Avenue, and between Buffalo Drive and Marnie Street; and a portion of a right-of-way being Mountains Edge Parkway located between Buffalo Drive and Marnie Street; and a portion of a right-of-way being Buffalo Drive located between Mountains Edge Parkway and Haleh Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **06/21/22 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

3. **TM-22-500085-WATTOO FAMILY LP:**
TENTATIVE MAP consisting of 30 single family residential lots and common lots on 3.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Buffalo Drive and the north side of Haleh Avenue within Enterprise. JJ/rk/jo (For possible action) **06/21/22 PC**

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (4-1) /Throneberry-Nay

4. **NZC-22-0254-VAN 86 HOLDINGS TRUST:**
ZONE CHANGE to reclassify 19.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce street intersection off-set.
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northwest corner of Richmar Avenue and Valley View Boulevard within Enterprise (description on file). JJ/al/jo (For possible action) **06/21/22 PC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

5. **VS-22-0255-VAN 86 HOLDINGS TRUST:**
VACATE AND ABANDON easements of interest to Clark County located between Hinson Street (alignment) and Valley View Boulevard, and between Richmar Avenue and Meranto Avenue (alignment) within Enterprise (description on file). JJ/al/jo (For possible action) **06/21/22 PC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

6. **TM-22-500087-VAN 86 HOLDINGS TRUST:**
TENTATIVE MAP consisting of 155 single family residential lots and common lots on 19.4 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Richmar Avenue and Valley View Boulevard within Enterprise. JJ/al/jo (For possible action) **06/21/22 PC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

7. **UC-22-0275-MALCOMB MATTHEW LIVING TRUST ET AL & MALCOMB MATTHEW C TRS:**
USE PERMIT to increase the area of an accessory apartment in conjunction with an existing single family residence on 2.2 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Silverado Ranch Boulevard, 300 feet west of Schuster Street within Enterprise. JJ/jt/syp (For possible action) **06/21/22 PC**

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

8. **UC-22-0278-1263 SILVERADO, LLC:**

USE PERMIT for on-premises consumption of alcohol in conjunction with a minor training facility in an existing shopping center on 3.1 acres in a C-2 (Commercial General) Zone. Generally located on the east side of Maryland Parkway, 1,000 feet south of Silverado Ranch Boulevard within Enterprise MN/nr/syp (For possible action) **06/21/22 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

9. **UC-22-0290-CARL FAMILY TRUST & CARL ROBERT S TRS:**

USE PERMITS for the following: **1)** increase the area of a proposed accessory structure; **2)** allow accessory structures not architecturally compatible with the principal building; and **3)** waive applicable design standards in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estate Residential) (RNP-I) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setback; and **2)** reduced separation between structures. Generally located on the west side of Belcastro Street and the north side of Torino Avenue within Enterprise. JJ/md/syp (For possible action) **06/21/22 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

10. **WS-22-0274-EINARSSON HAROLD PAUL & TAMLYNN RAE:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** Increase height of a solid block wall in the front yard; and **2)** Increase height of side and rear yard block walls in conjunction with a single family residence on 2.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Mullen Avenue and the west side of Rome Street within Enterprise. MN/bb/jo (For possible action) **06/21/22 PC**

Motion by Joseph Throneberry

Action: **APPROVE** per staff conditions

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

11. **WS-22-0291-NEW WEST RESIDENTIAL 2, LLC:**

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEW for a single family residential development on 2.3 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of La Cienega Street, 290 feet north of Wigwam Avenue within Enterprise. MN/md/jo (For possible action) **06/21/22 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

12. **DR-22-0297-AMH NV9 DEVELOPMENT, LLC:**
DESIGN REVIEW for finished grade in conjunction with an approved single family residential development on 4.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Cactus Avenue (alignment), 650 feet west of Buffalo Drive within Enterprise. JJ/rk/jo (For possible action) **06/22/22 BCC**

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

13. **WC-22-400072 (ZC-1252-99)-WARMSPRINGS DEV, LLC:**
WAIVERS OF CONDITIONS of a zone change for the following: **1)** B-1 landscaping (tree/shrub combination) along street frontages; and **2)** recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements with adjacent properties if and when they develop as commercial or industrial to comply with Policy E8.5g of the Land Use Plan on 1.9 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Jones Boulevard and Arby Avenue within Enterprise. MN/jor/syp (For possible action) **06/22/22 BCC**

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

14. **VS-22-0293-WARMSPRINGS DEV, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Jones Boulevard located between Arby Avenue and Warm Spring Road within Enterprise (description on file). MN/jor/syp (For possible action) **06/22/22 BCC**

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

15. **UC-22-0292-WARMSPRINGS DEV, LLC:**
USE PERMIT to reduce the setback of a proposed gasoline station.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced driveway throat depth; and **2)** reduced driveway departure distance.
DESIGN REVIEWS for the following: **1)** commercial center; **2)** alternative parking lot landscaping; and **3)** finished grade on 1.9 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Jones Boulevard and Arby Avenue within Enterprise. MN/jor/syp (For possible action) **06/22/22 BCC**

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

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

Per staff conditions
Motion **PASSED** (4-1) / Kaiser-Nay

16. **WS-22-0289-BLUE DIAMOND PB HOLDINGS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback.
DESIGN REVIEWS for the following: 1) a restaurant with a drive-thru; and 2) finished grade on 0.9 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the south side of Blue Diamond Road and the west side of Schirlls Street (alignment) within Enterprise. JJ/jor/jo (For possible action) 06/22/22 BCC

Motion by Barris Kaiser

Action: **APPROVE**

ADD Current Planning Conditions:

- Design review as a public hearing for lighting and signage.
- Design review as a public hearing for significant change to plans.
- Revise south elevation to be similar to the existing buildings, south and north of the application, in design characteristics and carry earthtone colors.

Per staff conditions

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

17. **ZC-22-0300-DEAN, JERRY & DEANNA FAMILY TRUST-EXEMPTION TR ETAL & DEAN, DEANNA S. TRS:**
ZONE CHANGE to reclassify 12.5 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone for a future industrial development. Generally located on the east side of Rainbow Boulevard and the south side of Richmar Avenue within Enterprise (description on file). JJ/md/syp (For possible action) 06/22/22 BCC

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

The next regular meeting will be June 29, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut

Action: **ADJOURN** meeting at 9:10 p.m.

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

07/19/22 PC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

PEBBLE ROAD/GRAND CANYON DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-22-0305-GRAND CANYON LLC & NAHAI ILIEN:

ZONE CHANGE to reclassify 15.9 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce street width.

DESIGN REVIEW for a single family residential development.

Generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise (description on file). JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

176-19-101-006; 176-19-101-020; 176-19-101-025 through 176-19-101-028

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the width of a public street (Raven Avenue) to 47 feet where a minimum width of 60 feet is required per Chapter 30.52 (a 22% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 15.9
- Number of Lots: 94
- Density (du/ac): 5.9
- Minimum/Maximum Lot Size (square feet): 3,850/10,094
- Project Type: Single family residential development
- Number of Stories: 1 & 2
- Building Height (feet): Up to 29
- Square Feet: 1,800/3,900

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting at the Windmill Library on March 16, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All

owners within 1,500 feet of the project site were notified about the meeting. There were 11 attendees present at the open house meeting for this project. The attendees had concerns about finished grade of the subdivision and the 2 access points on Pebble Road should be changed to Raven Avenue.

Site Plans

The plans depict a residential development totaling 94 single family lots on 15.9 acres. The density of the residential subdivision is 5.9 dwelling units per acre. The site design shows the project will surround 2 existing residential estate homes that front Pebble Road to the north. Four lots, generally over 10,000 square feet in size, are located on the east side of one of the parcels; however, the remaining lots within the proposed subdivision and adjacent to the existing homes are well under 10,000 square feet. The lots within the overall subdivision range in size from a minimum of 3,850 square feet to a maximum of 10,094 square feet. The entire project is within an RNP-I area. There will be 2 access points onto Pebble Road and 1 access point onto Raven Avenue. Access to the lots within the development will be provided by 43 foot wide private streets that will have a 4 foot wide sidewalk on 1 side of the street.

Landscaping

Street landscaping consists of 6 foot wide landscape areas shown behind an attached sidewalk along Raven Avenue and Pebble Road; and a 15 foot wide landscape area, which includes a detached sidewalk, is shown along Grand Canyon Drive.

Elevations

The plans depict three, 2 story models and one, 1 story model. All the products have similar building materials consisting of stucco exteriors, decorative stone veneer accents, tile roofing, and 4 sided architecture around windows and doors.

Floor Plans

The models range in size from 1,800 square feet to 3,900 square feet with options that include multiple bedrooms, 2 to 3 car garages, and options for bonus rooms.

Applicant's Justification

The applicant indicates the surrounding areas to the south and farther east have been approved for R-2 zoning. Furthermore, the applicant indicates the current trend testifies to the need for additional single family residential developments in this area and in the Valley. The demand for single family residential housing is high and the supply is low especially with the continual increase in the home values and cost and the short timeframes that homes remain in the open market.

Prior Land Use Requests

Application Number	Request	Action	Date
LUP-20-700088	Redesignated the planned land use category from RL (Residential Low) to RS (Residential Suburban)	Cancelled by BCC	July 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & single family home
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-2 & R-E (RNP-I)	Single family residential

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant indicates that there have been changes in the immediate area with the approval of higher density subdivisions to the south and farther east of the subject site.

Although there are existing suburban residential developments in the area, those developments are adjacent to Blue Diamond Road and farther east near Fort Apache Road, which makes this development fully within the Rural Neighborhood Preservation (RNP) area. The site is in a predominantly undeveloped area with several homes developed within the RNP area to the north and to the immediate east. All the subject parcels are planned for Low-Intensity Suburban Neighborhood. The intent is to provide a low intensity land use to provide minimal land use conflicts and impacts between the RNP area and more intense development.

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

According to the applicant, the proposed single family residential development is similar intensity when compared to adjacent residential developments to the north and east of the project site.

The project is a single family residential development consisting of a total of 94 lots with a density of 5.9 dwelling units per acre. The Low-Intensity Suburban Neighborhood adjacent to the R-E (RNP-I) zoned properties has always been planned as an area intended to provide for a transitional space and use in the immediate area, especially when uses along Blue Diamond Road are planned for more intense uses. Staff is concerned with the potential incompatibility between the range of lots sizes and densities within the proposed R-2 zoning and the adjacent RNP area, especially the 2 developed homes that it surrounds. Therefore, staff finds the proposed project is not compatible with the density and intensity of the existing and planned land uses in the surrounding area.

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

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

Based on information received from the Clark County School District, the high school located within the corresponding school zone was over capacity for the 2020-2021 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and no new schools are planned in the future.

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

The applicant states that the proposed development satisfies the general policies of the Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels.

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Staff finds the project also complies with Policy 1.3.2 that encourages a mix of housing options, product types, and unit sizes. The Master Plan also encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater) which this development has not done. The disparity

between the adjacent RNP area and the proposed R-2 zoned development, with overall commensurate lot sizes and site design, is not compliant with the Land Use Plan and staff finds this difference will cause adverse impacts to adjacent homeowners.

Summary

Zone Change & Design Review

The properties to the north, east, and partially to the west are zoned R-E (RNP-I) and some are developed with ranch estate homes. Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. Approval of this project will allow more dense zoning with smaller lot sizes to intrude into this existing area. The Low-Intensity Suburban Neighborhood land use category designation with 10,000 square foot lots or greater have been commonly accepted as an appropriate solution to transitional uses and densities. Therefore, based on the criteria listed above, staff finds the applicant has not satisfied the requirements for a compelling justification to warrant approval of this application and cannot support these requests.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction of right-of-way width for Raven Avenue. The applicant will be matching the right-of-way to the south. However, since Planning is not supporting the rest of the application, staff cannot support this request.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 17, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Lots adjacent to parcel numbers (176-19-101-004 & 176-19-101-005) to be a minimum of 10,000 square feet.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Pebble Road, 23.5 feet for Raven Avenue, 35 feet to the back of curb for Grand Canyon Drive, 30 feet for Conquistador Street to match the dedication on the west side of the street, and associated spandrels;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that proposed streets must take into account existing utility poles to ensure that sight visibility zones are not impacted.

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 #0205-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BORHAN MORADI

CONTACT: BORHAN MORADI, LAS VEGAS, 2300 HUNT CLUB STREET, LAS VEGAS, NV 89128



LAND USE APPLICATION

1A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: GRAND CANYON LLC, NAHAI LIEN ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____
	CORRESPONDENT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-101-006

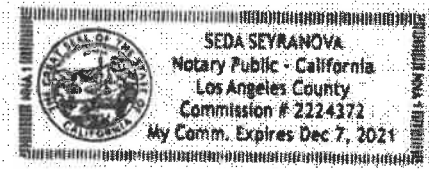
PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

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

Property Owner (Signature)* [Signature] Property Owner (Print) KAVAN NAHAI, MEMBER

STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2021 (DATE)
 By Kavran Nahai
 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.



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZG) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>AF-GC/PEB LLC</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>BADI LLC</u> ADDRESS: <u>2300 HUNT CLUB STREET</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-782-0187</u> CELL: <u>702-782-0187</u> E-MAIL: <u>BORHAN9MORADI@GMAIL.COM</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>BADI LLC</u> ADDRESS: <u>2300 HUNT CLUB STREET</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-782-0187</u> CELL: <u>702-782-0187</u> E-MAIL: <u>BORHAN9MORADI@GMAIL.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-101-020


PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

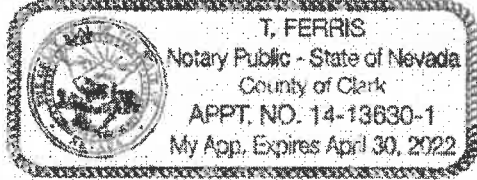
PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

(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)

CONSTANTINA ZARKOS
 Property Owner (Print) MANAGER

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON June 17th, 2021 (DATE)
 BY Constantina Zarkos
 NOTARY PUBLIC: 



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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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	PROPERTY OWNER NAME: NAHAI ILIEN, KERENDY FAROUGH, JACKLIN FAM TR. ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____
	CORRESPONDENT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-101-025

PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

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

[Signature]
Property Owner (Signature)*

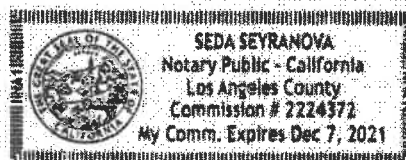
FAROUCH KERENDY
Property Owner (Print)

STATE OF California
COUNTY OF Los Angeles

SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2021 (DATE)

By Farouch Kerendi

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.



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: NAHAI ILIEN, NAHAI KAYVAN & GRACE ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____
CORRESPONDENT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHAN9MORADI@GMAIL.COM REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-19-101-026

PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

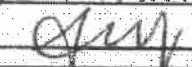
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

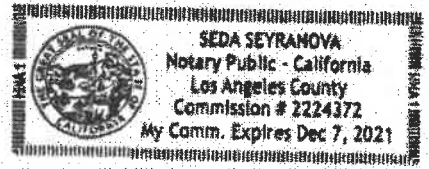

 Property Owner (Signature)*

KAYVAN NAHAI
 Property Owner (Print)

STATE OF California
 COUNTY OF Los Angeles

SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2021 (DATE)
 by Kayvan Nahai

NOTARY PUBLIC: 



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity. Page 4 of 12



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: RIVIERA RESIDENCES LLC, TOLOUI 2003 FAM TR ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHANSMORADI@GMAIL.COM REF CONTACT ID #: _____
	CORRESPONDENT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHANSMORADI@GMAIL.COM REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-101-027

PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

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

[Signature]
 Property Owner (Signature)

Hugh H. Toloui
 For Toloui 2003 Family Trust
 Property Owner (Print)

STATE OF CA
 COUNTY OF Contra Costa

SUBSCRIBED AND SWORN BEFORE ME ON 06/17/2008 (DATE)

By Hugh H. Toloui

NOTARY PUBLIC: [Signature]

Please see attached notary.

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.
 Page 5 of 12

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

~~_____
Signature of Document Signer No. 1~~

~~_____
Signature of Document Signer No. 2 (if any)~~

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

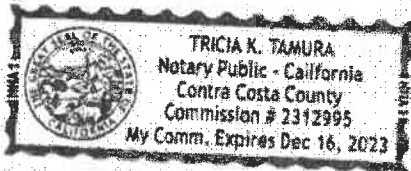
State of California
 County of Contra Costa

Subscribed and sworn to (or affirmed) before me
 on this 17 day of June, 2021,
 by Date Month Year

(1) Hugh H. Fotouhi Tolouvi

(and (2) _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.



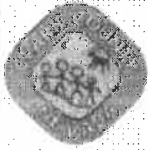
Signature Tricia K. Tamura
 Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Parcel # Ending 027
 Title or Type of Document: Land Use Application Document Date: 06/17/2021
 Number of Pages: _____ Signer(s) Other Than Named Above: _____



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


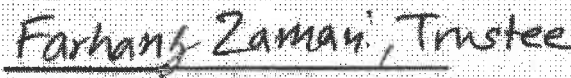
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: RIVIERA RESIDENCES LLC, TOLOUI 2003 FAM TR ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89126 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHANBMORADI@GMAIL.COM REF CONTACT ID #: _____
CORRESPONDENT NAME: BADI LLC ADDRESS: 2300 HUNT CLUB STREET CITY: LAS VEGAS STATE: NV ZIP: 89128 TELEPHONE: 702-782-0187 CELL: 702-782-0187 E-MAIL: BORHANBMORADI@GMAIL.COM REF CONTACT ID #: _____	


ASSESSOR'S PARCEL NUMBER(S): 176-19-101-027

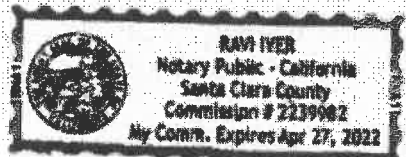
PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO 'R2' ZONING - LAND USE TO 'RS'

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



 Property Owner (Signature) Property Owner (Print)

STATE OF California
 COUNTY OF SANTA CLARA
 SUBSCRIBED AND SWORN BEFORE ME ON JULY 3rd, 2021 (DATE)
 BY FARHANG ZAMANI
 NOTARY PUBLIC: 



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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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ASSESSOR'S PARCEL NUMBER(S): 176-19-101-028

PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO "R2" ZONING - LAND USE TO "RS"

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

[Signature]
Property Owner (Signature)*

Hugh H. Toloui
For Toloui 2003 Family Trust
Property Owner (Print)

STATE OF NV
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 06/17/2011 (DATE)

By Hugh H. Toloui

NOTARY PUBLIC: [Signature]

Plax see attached notary.

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____	PROPERTY OWNER NAME: RIVIERA RESIDENCES LLC, TOLOUI 2003 FAM TR ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-19-101-028

PROPERTY ADDRESS and/or CROSS STREETS: PEBBLE & GRAND CANYON

PROJECT DESCRIPTION: REZONING OF PARCEL OF LAND TO 'R2' ZONING - LAND USE TO 'RS'

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

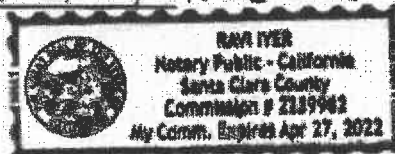
[Signature]
Property Owner (Signature)*

Farhang Zaman, Trustee
Property Owner (Print)

STATE OF California
COUNTY OF SANTA CLARA

SUBSCRIBED AND SWORN BEFORE ME ON JULY 3rd, 2021 (DATE)
By FARHANG ZAMANI

NOTARY PUBLIC: *[Signature]*



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CIVIL
ENGINEERING

NZC-22-0305

August 16, 2021

Via Online Submittal

Clark County Comprehensive Planning
500 South Grand Central Parkway, 1st Floor
Las Vegas, Nevada, 89106



Re: Justification Letter for Non-Conforming Zone Change

APNs: 176-19-101-006, 176-19-101-020, 176-19-101-025, 176-19-101-026, 176-19-101-027, and 176-19-101-028

To Whom It May Concern:

Please be advised that Badi LLC, (applicant) represents landowners of subject parcels in the above referenced matter. The proposed development is located on 15 plus gross acres located on the southeast corner of Grand Canyon and Pebble. The properties are more particularly described as APNs: 176-19-101-006, 176-19-101-020, 176-19-101-025, 176-19-101-026, 176-19-101-027, and 176-19-101-028 (the "Site"). The Applicant is proposing a nonconforming zone change from RE to R-2 to allow for a single-family residential development with a corresponding design review. We met with Commissioner Justin Jones, attached copy of email indicates his consent for submitting the application.

Nonconforming Zone Change

The Site has a zoning designation of Rural Estate Residential (RE) and the Land Use Plan indicates Residential Low (RL) within the Enterprise Township. This request for a zone change to R-2 for the Site triggers the nonconforming zone change.

The proposed non-conforming zone change is appropriate because it is consistent with the surrounding developments in the area. Single-story and two-story detached homes are being proposed which are consistent with the R-2 developments on the south and west borders.

The neighborhoods to the south and west have previously been approved and are similar to this application. By way of example, there are several single-family developments recently approved throughout the south and southwest area of the valley, including DR Horton's single-family homes (R-2 zoning designation) further to the East of the Site (application No. ROI-20-0108). The Site is surrounded to the South by single family homes (R-2 zoning designation) built by Pulte.

Moreover, the density or intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area. Two-story detached homes are being proposed on the subject site which are consistent with the neighbors on the east and south borders and the development trends of housing.

A tentative map is not included with this submittal. A waiver is being requested to reduce the width of Raven Avenue to 47 feet. The south side of the Raven Avenue has already been reduced in width, hence this project is proposing to match that width. The proposed subdivision will have accesses to Pebble Road and Raven Avenue. Tentatively, four models are offered for different lot

sizes of the subdivision, including single- and two-story dwellings. These models vary in sizes ranging from 1,800 square feet to 3,900 square feet. The dwellings will be wood-framed covered with stucco and standard paints resting on concrete slabs (most likely PT) and foundation systems.

Thank you for your consideration of this application and if you have any questions or comments relating to anything in this justification letter, please do not hesitate to contact me. I can be reached at the phone number and e-mail address shown below:

(702) 782-0187
Borhan9moradi@gmail.com

Sincerely,

Borhan Moradi

07/19/22 PC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

DEAN MARTIN DR/PYLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0317-LEBARON INDUSTRIAL 87, LLC:

ZONE CHANGE to reclassify 18.8 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce street width; and 3) street dedication.

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

Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise (description on file). JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

177-29-203-002 through 177-29-203-005; 177-29-203-008 through 177-29-203-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase block wall height to 11 feet (up to 5 foot retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (a 22% increase).
2. Reduce the width of a public street (Le Baron Avenue) to 47 feet where a minimum width of 60 feet is required per Chapter 30.52 (an 22% reduction).
3. Waive dedication of Jo Rae Avenue through the center portion of the site as required by Section 30.52.030.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 65 inches (5.4 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 216% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 18.8

- Number of Lots: 70
- Density (du/ac): 3.7
- Minimum/Maximum Lot Size (square feet): 6,621/11,024
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 28
- Square Feet: 3,722/4,281

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on July 20, 2021, as required by the nonconforming zone boundary amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. Five attendees were present at the virtual (Zoom) meeting for this item. The attendees had questions about traffic, density, height, and house orientation. According to the applicant, the consensus was supportive of the project, and they were happy to see the completion of Le Baron Avenue and drainage issues finally being addressed in that area.

Site Plans

The plans depict a residential development totaling 70 single family lots on 18.8 acres. The density of the residential subdivision is 3.7 dwelling units per acre. The site is surrounded on all 4 sides by public street frontage. Nine lots generally over 10,000 square feet in size are located on the north perimeter of the development across the street from an existing R-E zoned residential development. The remaining lots range in size from a minimum of 6,621 square feet to a maximum of 8,944 square feet. The entire project is within a small RNP area, east of Polaris Avenue. The development will have access from Dean Martin Drive to the east and Pyle Avenue to the south. The lots within the subdivision will be served by 43 foot wide internal private streets, which include a 4 foot wide sidewalk on 1 side of the street. The plans also depict that the finished grade of the site will be increased up to 5.5 feet internal to the project at an existing wash and along the north and east perimeters of the project in order to properly drain the site due to existing terrain. These areas of the site are also where the over height retaining walls are located.

Landscaping

Street landscaping consists of a 6 foot wide landscape area shown behind an attached sidewalk along Le Baron Avenue and Polaris Avenue; and a 15 foot wide landscape area which includes a detached sidewalk, is shown along Dean Martin Drive and Pyle Avenue.

Elevations

The development will provide 2 story model homes with the maximum height shown at approximately 28 feet. The plans submitted by the applicant depict 3 different models with each model having potential elevation variations. The building materials consist of concrete tile roofs, stucco finished walls with decorative pop-outs, and fenestration on windows and doors on all sides of the models.

Floor Plans

The models range in size from 3,722 square feet to 4,281 square feet with options that include multiple bedrooms, 2 and 3 car garages, and options for bonus rooms.

Applicant's Justification

The applicant indicates that there has been a shift in the character of the area and that the approval of this request would be consistent with surrounding areas to the south and farther west which have developed out or been recently approved at over 2 units per acre. The applicant also indicates that the project will provide transitional lower density residential development between the existing RNP area to the north and the more intense residential uses to the south. Also, this project has been designed with lots larger than those required in an R-1 zone, making the requested zone change appropriate and compatible for the area. As for the waiver for street dedication of Jo Rae Avenue and the reduction in street width for Le Baron Avenue, the applicant indicates the streets terminate just west of the freeway, 750 feet to the east of the project site. Additionally, the reduction in street width for Le Baron Avenue is also impacted by an 80 foot wide NV Energy easement that is centered with double pole lines that are not being removed.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1 & R-E	Single family residential & undeveloped
East	Business Employment & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped
West	Open Lands	R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-22-0318	A request to vacate rights-of-way and patent easements on the property is a companion item on this agenda.
TM-22-500106	A tentative map for 70 single family residential lots on 18.8 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

According to the applicant the current trend is for additional affordable single family residential land in this area and in Las Vegas in general. The low density residential impacts the "affordability" of the residential uses in the area as the cost of residential land and construction costs continue to rise.

Several nonconforming zone change applications have been approved within this area to establish mid-intensity residential developments. For example, NZC-0340-13 was approved for R-1 zoning directly south of this site on Pyle Avenue; NZC-21-0492 was approved for R-2 zoning in an RNP neighborhood just to the west of this site along Frias Avenue. Furthermore, NZC-21-0203 was approved for R-2 zoning directly south of that site. These past approvals for R-1 and R-2 zoning for single family residential developments are a trend and a change in circumstances in this particular RNP neighborhood, and the RNP properties to the west along Frias Avenue, that makes the proposed nonconforming zone boundary amendment appropriate.

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

The applicant indicates the proposed project serves as a buffer between the R-E (RNP-I) development to the north and the residential mid-intensity suburban developments to the south. Additionally, the open space and perimeter landscape provided by this development meets or exceeds the requirements of Title 30.

Staff finds the density and intensity of the proposed development is similar to the project that has been approved for development to the south of this site. Additionally, there are recently approved single family residential subdivisions in R-2 zoned districts farther west of this site. Therefore, the request is compatible with the existing and approved land uses in the surrounding area.

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

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

Based on information received from the Clark County School District, the high school located within the corresponding school zone was over capacity for the 2020-2021 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and no new schools are planned in the future.

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

The applicant states that the proposed development satisfies the general policies of the Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The applicant also states the site is designed to be compatible with adjacent land use and off-site circulation patterns.

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Staff finds the project also complies with Policy 1.3.2 that encourages a mix of housing options, product types, and unit sizes. The Master Plan also encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater), which this development provides.

Summary

Zone Change & Design Review #1

Staff finds that there is a trend changing the character and condition of the area which makes this request appropriate. The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse impact on public services or facilities in the area. Staff finds that that proposed reclassification to R-1 zoning is consistent to the existing development to the south; therefore, staff can support this request

Waivers of Development Standards

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

Waiver of Development Standards #1

A waiver of development standards is needed for the proposed walls along the east and portions of the north property lines. The primary reasoning for the wall height increase is needed to accommodate street drainage, natural topography, and corresponding pad heights. Therefore, the topography of the site warrants an increase to the retaining wall height which staff can support

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduction in right-of-way width for Le Baron Avenue due to the existing utility poles. Le Baron Avenue has been reduced in width for numerous developments to the west of the subject site.

Waiver of Development Standards #3

Staff does not object to the non-dedication and vacation of Jo Rae Avenue. Both Pyle Avenue, a collector street, and Le Baron Avenue will provide adequate east/west circulation.

Design Review #2

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

Department of Aviation

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

Staff Recommendation

Approval: This item will be forwarded to the Board of County Commissioners' meeting for final action on August 17, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide services because of a lack of necessary public services in the area;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Polaris Avenue, 17 feet for Le Baron Avenue, 35 feet to the back of curb for Dean Martin Drive, 35 feet to the back of curb for Pyle Avenue, and associated spandrels.
- 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 or that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking

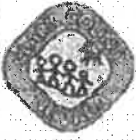
#0206-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ANGELA PINLEY

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

DRAFT



LAND USE APPLICATION

2A


DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

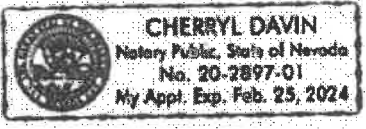
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>N2C-22-0317</u> DATE FILED: <u>5.19.22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6.29.22</u> PC MEETING DATE: <u>7.19.22</u> BCC MEETING DATE: <u>8.17.22</u> FEE: <u>\$3,990.00</u> R-E/RNPI to R-1 Ranch Estates Neighborhood JJ LUP 20.700127
	PROPERTY OWNER NAME: <u>LeBaron Industrial 87, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Lennar</u> ADDRESS: <u>9275 West Russell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-821-4683</u> CELL: _____ E-MAIL: <u>dave.comoyer@lennar.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-iv.com</u> REF CONTACT ID #: <u>170761</u>

ASSESSOR'S PARCEL NUMBER(S): 177-29-203-002
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Pyle
 PROJECT DESCRIPTION: Residential Subdivision

I, (We) the undersigned swear / 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 Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.


 Property Owner (Signature)* JOEL LAUB
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JUNE 18, 2021 (DATE)
 By JOEL LAUB
 NOTARY PUBLIC Cherryl Davin



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



LAND USE APPLICATION


DEPARTMENT OF COMPREHENSIVE PLANNING

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	PROPERTY OWNER NAME: <u>Jo Rae Polaris 1.81, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> city: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Lennar</u> ADDRESS: <u>9275 West Russell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-821-4683</u> CELL: _____ E-MAIL: <u>dave.comover@lennar.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> CONTACT ID #: <u>170761</u>

ASSESSOR'S PARCEL NUMBER(S): 177-29-203-003 & 004
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Pyle
 PROJECT DESCRIPTION: Residential Subdivision

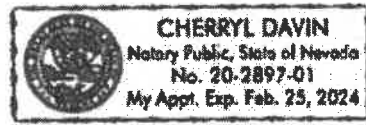
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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


 Property Owner (Signature)*

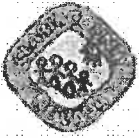
JOEL LAUB
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

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LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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	PROPERTY OWNER NAME: <u>Jo Rae Industrial 1.14, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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	CORRESPONDENT NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

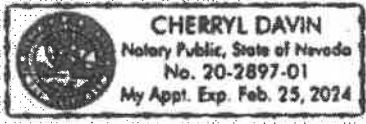
ASSESSOR'S PARCEL NUMBER(S): 177-29-203-005
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Pyle
 PROJECT DESCRIPTION: Residential Subdivision

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


 Property Owner (Signature)

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JUNE 18, 2021 (DATE)
 By JOE LAUB
 NOTARY PUBLIC: Cherryl Davin



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LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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	PROPERTY OWNER	NAME: <u>Laub Vassar Dean Martin 2.5, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT	NAME: <u>Lennar</u> ADDRESS: <u>9275 West Russell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-821-4683</u> CELL: _____ E-MAIL: <u>dave.cornoyer@lennar.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Ciencosa St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

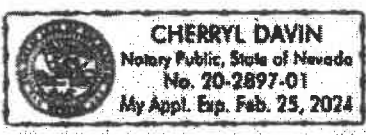
ASSESSOR'S PARCEL NUMBER(S): 177-29-203-008 & 009
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Pyle
 PROJECT DESCRIPTION: Residential Subdivision

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

 Property Owner (Signature)*

 Property Owner (Print)

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 COUNTY OF CLARK
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 BY JOEL LAUB
 NOTARY PUBLIC: Cherryl Davin



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LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

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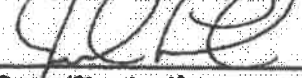

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	PROPERTY OWNER NAME: <u>DM Le Baron-Pyle, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Lennar</u> ADDRESS: <u>9275 West Russell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-821-4683</u> CELL: _____ E-MAIL: <u>dave.comoyer@lennar.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

ASSESSOR'S PARCEL NUMBER(S): 177-29-203-010

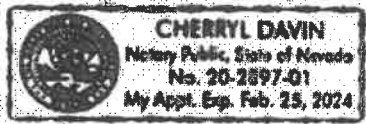
PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Pyle

PROJECT DESCRIPTION: Residential Subdivision

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


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May 2, 2022

N2C-22 0817

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

Re: **Dean Martin/Pyle**
Non-Conforming Zone Change, Design Review, and Waiver of Development Standards
APN# 177-29-203-002, 003, 004, 005, 008, 009, 010

On behalf of Lennar Homes, we respectfully request your approval of a non-conforming Zone Change, Design Review and Waiver of Standards in support of the Dean Martin/LeBaron single family detached residential project.

The project proposes a 70 lot single family detached residential development on approximately 18.8 acres at a density of 3.93 dwelling units per acre within the Enterprise Land Use planning area.

Location: The proposed project is located west of Dean Martin Drive between LeBaron Avenue and Pyle Avenue Section 29, Township 22 South, Range 61 East. The project site consists of vacant, undeveloped land and three existing single family custom homes along Jo Rae Avenue that will be removed with this project. Access to the site is proposed from directly from Dean Martin Drive and Pyle Avenue.

Non-Conforming Zone Change: The existing Land Use for the project is Ranch Estate Neighborhood (RN) with existing Residential Estates (R-E) zoning. The project proposes a non-conforming zone change to R-1.

Design Review: The project proposes a 70 lot single family residential subdivision served by a 43' wide private internal street network that takes access through entries located on Dean Martin Drive and Pyle Avenue. The proposed subdivision provides lot sizes that range from approximately 6,621 to 11,024 square feet with an average lot size of approximately 7,444 square feet. A row of minimum 10,000 square foot lots along with a 39'+/- wide common element is proposed along Le Baron Avenue. This design will provide a buffer to the existing R-E lots developed to the north.

The proposed project will consist of two story homes that range in size from approximately 3,722 to 4,281 square feet and provide varying elevations at a maximum height of 28'. The homes each provide two car garages with a 3 car garage option. The submitted floor plans and elevations conform to the design standards in Table 30.56-2 by providing covered porches, building pop-outs, and architectural enhancements to windows and doorways. The homes will be stucco finish with concrete tile roofs and optional finishes may be offered such as tile or stone veneer enhancements.

As required under section 30.32.040 of Title 30, the design review requests approval of an increase in the finished grade up to a maximum of 5.5'. This maximum increase in grade is internal to the project at an existing wash. The maximum increase along the project boundary is 4.5 ft at the north and east perimeters of the project.

Waiver of Standards #1: Approval of a Waiver of Development Standards to allow a maximum 11' perimeter wall height (with 6' screen and 5' retaining wall) where 9' wall height is allowed by Title 30 section 30.64.050(a)(4). The maximum wall height condition occurs along the eastern and northern portions of the site adjacent to Dean Martin and LeBaron.

Justification: The 4.5' increase in retaining wall height is necessary to provide the internal street network with positive drainage and flood protect the site.

Waiver of Standards #2: Approval of Le Baron Avenue as a 47' wide local public street where 60' is required by Title 30 section 30.52.030(a)(1)(D).

Justification: The Le Baron alignment in this area is impacted by an 80' wide NV Energy that is centered on the double pole lines which are south of 'centerline' of the alignment. The developed properties to the west along Le Baron are approved with a 47' public right-of-way and have converted the NVE double poles to a single pole line that is located south of the Le Baron street improvements. This project proposes to handle the NVE energy corridor in the same manner. In addition, the proposed 47' public street right-of-way is in compliance with the definition of 'Local Street' as provided by Section 30.08 of Title 30 in both width and use for a residential area.

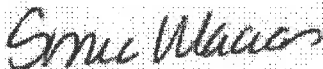
Waiver of Standards #3: Approval of a waiver to allow the vacation/non-dedication of Jo Rae Avenue, a 64th section line street, per Title 30 Subsection 30.52.030(a)(1)(D).

Justification: In the vicinity of this project, Jo Rae Avenue is constructed to the west between Valley View Drive and Hinson Street and has been vacated west of Hinson Street to Lindell Road. Access to the surrounding area is provided by the public street network of Polaris Avenue, Pyle Avenue, Le Baron Avenue, and Dean Martin Road. As access to Jo Rae Avenue is limited to the west and adequate public area streets exist in the vicinity of the site, the vacation and/or non-dedication of this 660 lf portion of Jo Rae Avenue is not anticipated to have a significant impact on area traffic circulation.

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

Sincerely,

Thomason Consulting Engineers



Sonia Macias
Project Coordinator

07/19/22 PC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

DEAN MARTIN DR/PYLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0318-LEBARON INDUSTRIAL 87, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Le Baron Avenue, and between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Jo Rae Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Le Baron Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Pyle Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Dean Martin Drive located between Pyle Avenue and Le Baron Avenue within Enterprise (description on file). JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

177-29-203-002 through 177-29-203-005; 177-29-203-008 through 177-29-203-010

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of the following: 1) BLM right-of-way grants; 2) acquisition of right-of-way easements; 3) government patent easements; and 4) rights-of-way. The applicant indicates these easements and rights-of-way are no longer necessary for the proposed development or surrounding area as private and public streets will be constructed to provide proper drainage and access to the development.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1 & R-E	Single family residential & undeveloped
East	Business Employment; Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Open Lands	R-E	Undeveloped

Related Applications

Application Number	Request
NZC-22-0317	A nonconforming zone change to reclassify this site to R-1 zoning for a single family development is a companion item on this agenda.
TM-22-500106	A tentative map for 70 single family residential lots on 18.8 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 17, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Polaris Avenue, 17 feet for Le Baron Avenue, 35 feet to the back of curb for Dean Martin Drive, 35 feet to the back of curb for Pyle Avenue, and associated spandrels;

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANGELA PINLEY

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0318</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>7.19.22</u> BCC MEETING DATE: <u>8.17.22</u> FEE: <u>\$875.00</u>	DATE FILED: <u>5.19.22</u> TAB/CAC DATE: <u>6.29.22</u> R-1 Ranch Estates Neighborhood JJ
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PROPERTY OWNER	NAME: <u>LeBaron Industrial 87, LLC</u> ADDRESS: <u>6415 S. Tenaya Way #105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>Lennar</u> ADDRESS: <u>9275 West Russell Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-821-4683</u> CELL: _____ E-MAIL: <u>dave.cornoyer@lennar.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-29-203-002

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

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 file this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

[Signature]
 Property Owner (Signature)*

JOE LAUB
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JUNE 18, 2021 (DATE)
 By JOEL LAUB
 NOTARY PUBLIC Cherryl Davin

CHERRYL DAVIN
 Notary Public, State of Nevada
 No. 20-2897-01
 My Appl. Exp. Feb. 25, 2024

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

T THOMASON
C CONSULTING
E ENGINEERS

March 29, 2022

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

**Re: Vacation of Patent Easements and Public Right of Way
Dean Martin / Pyle
APN# 177-29-203-002, 003, 004, 005, 008, 009 & 010**

On behalf of Lennar Homes., we respectfully request your consideration of the attached vacation of patent easements, right-of-way, right-of-way grants, a Resolution Relative to Acquisition of Rights-of-Way.

Location: The proposed project is located west of Dean Martin Drive between LeBaron Avenue and Pyle Avenue Section 29, Township 22 South, Range 61 East. The project site consists of vacant, undeveloped land and three existing single family custom homes located on Jo Rae Avenue that will be removed with this project. Access to the site is proposed from Dean Martin Drive and Pyle Avenue. The vacation related to Le Baron Avenue includes the south 13' of both existing right-of-way and Resolution Relative to Acquisition of Rights-of-Way. The vacation related to Dean Martin Drive includes the west 5' of the existing right-of-way and Resolution Relative to Acquisition of Rights-of-Way and the west 15' of a public right-of-way grant. The vacation related to Jo Rae Avenue includes the full width of the existing rights-of-way, the Resolution Relative to Acquisition of Rights-of-Way, and a public right-of-way grant. The vacation related to Pyle Avenue includes the north 5' of both the public right-of-way grant and Resolution Relative to Acquisition of Rights-of-Way.

Justification: This vacation is submitted as a companion item in support of the proposed subdivision located west of Dean Martin Drive and Pyle Avenue. The proposed vacation of patent easements, right-of-way, right-of-way grants, and Resolution Relative to Acquisition of Rights-of-Way are for areas that are not necessary for the proposed project. The project proposes a private street network within the site and Jo Rae Avenue is not used as a public street within the project. Le Baron Avenue is proposed as an ultimate 47' wide public street with 17' offered by this project as a public half-street right-of-way. Decatur Boulevard and Pyle Avenue are proposed as ultimate 70' wide public street with 35' offered by this project as a public half-street right-of-way. The proposed half-street public rights-of-way offered by this project: Dean Martin Drive (35'), Pyle Avenue (35'), Polaris Street (30'), and Le Baron Avenue (17') along with associated spandrels. The patent easements internal to the site are not necessary as the site provides private streets for circulation.

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

Sincerely,


Sonia Macias
Project Coordinator

7080 La Cienega Street #200
Las Vegas, NV 89119
Phone (702) 932-6125 • Fax (702) 932-6129
Page 2 of 2

07/19/22 PC AGENDA SHEET

DEAN MARTIN & PYLE
(TITLE 30)

DEAN MARTIN DR/PYLE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500106-LEBARON INDUSTRIAL 87, LLC:

TENTATIVE MAP consisting of 70 single family residential lots and common lots on 18.8 acres in an R-1 (Single Family Residential) Zone.

Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

177-29-203-002 through 177-29-203-005; 177-29-203-008 through 177-29-203-010

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 18.8
- Number of Lots: 70
- Density (du/ac): 3.7
- Minimum/Maximum Lot Size (square feet): 6,621/11,024
- Project Type: Single family residential development

The plans depict a residential development totaling 70 single family lots on 18.8 acres. The density of the residential subdivision is 3.7 dwelling units per acre. The site is surrounded on all 4 sides by public street frontage. Nine lots generally over 10,000 square feet in size are located on the north perimeter of the development across the street from an existing R-E zoned residential development. The remaining lots range in size from a minimum of 6,621 square feet to a maximum of 8,944 square feet. The entire project is within a small RNP area, east of Polaris Avenue. The development will have access from Dean Martin Drive to the east and Pyle Avenue to the south. The lots within the subdivision will be served by 43 foot wide internal private streets, which include a 4 foot wide sidewalk on 1 side of the street.

Surrounding Land Use

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1 & R-E	Single family residential & undeveloped
East	Business Employment & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped
West	Open Lands	R-E	Undeveloped

Related Applications

Application Number	Request
NZC-22-0317	A nonconforming zone change to reclassify this site to R-1 zoning for a single family development is a companion item on this agenda.
VS-22-0318	A request to vacate rights-of-way and patent easements on the property is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 17, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Polaris Avenue, 17 feet for Le Baron Avenue, 35 feet to the back of curb for Dean Martin Drive, 35 feet to the back of curb for Pyle Avenue, and associated spandrels.
- 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 or that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0206-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ANGELA PINLEY

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

DRAFT



TENTATIVE MAP APPLICATION 4A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>Tol. 22. 500106</u>	DATE FILED: <u>5-19-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>6-29-22</u>
		TAB/CAC: <u>Enterprise</u>	PC MEETING DATE: <u>7-19-22</u>
		BCC MEETING DATE: <u>8-17-22</u>	R-1 Ranch Estates Neighborhood JJ
		FEE: <u>\$750.00</u>	

PROPERTY OWNER	NAME: <u>LeBaron Industrial 87, LLC</u>
	ADDRESS: <u>6415 S. Tenaya Way #105</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Lennar</u>
	ADDRESS: <u>9275 West Russell Road</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>702-821-4683</u> CELL: _____
	E-MAIL: <u>dave.comoyer@lennar.com</u> REF CONTACT ID #: _____

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

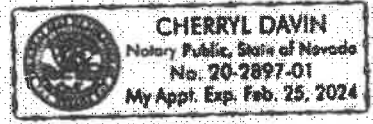
ASSESSOR'S PARCEL NUMBER(S): 177-29-203-002

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin/Pyle
TENTATIVE MAP NAME: Pyle Dean Martin

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, and I/We authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SIGNED BEFORE ME ON JUNE 18, 2021 (DATE)
By JOEL LAUB
NOTARY PUBLIC: Cherryl Davin



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

07/19/22 PC AGENDA SHEET

RETAIL BUILDING
(TITLE 30)

CACTUS AVE/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0324-GUNN DOREEN FAMILY TRUST & GUNN DOREEN & JAMES TRS:

ZONE CHANGE to reclassify 0.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

DESIGN REVIEW for a retail building (coffee shop) with drive-thru service.

Generally located on the south side of Cactus Avenue, 250 feet west of Dean Martin Drive within Enterprise (description on file). JJ/rk/tk (For possible action)

RELATED INFORMATION:

APN:

177-32-101-020

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3353 Cactus Avenue
- Site Acreage: 0.6
- Project Type: Retail building (coffee shop) with drive-thru service
- Number of Stories: 1
- Building Height (feet): Up to 24
- Square Feet: 950
- Parking Required/Provided: 11/12

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting at the Windmill Library on April 25, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All property owners within 1,500 feet of the subject site were notified about the meeting. There were no neighbors present for the meeting.

Site Plans

The subject site is currently zoned R-E with an existing house and designated as Mid-Intensity Suburban Neighborhood in the Master Plan which makes this zone boundary request

nonconforming with that land use designation. The plans submitted with this request depict a proposed retail building (coffee shop) consisting of 1 building that is centered near the front portion of the site. The small pad site building is located along Cactus Avenue with the drive-thru aisle located on the south, east, and north sides of the building, and traffic will circulate around the building. A portion of the drive-thru lane will be double stacked to allow for more queuing. Parking is equitably distributed throughout the site with the majority of the parking spaces shown in the middle. Also shown on the plans are 6 parallel parking spaces located along the west property line that will count towards the required parking for the site. There is 1 main access point shown along Cactus Avenue to the north. The project will also provide a potential cross access driveway to the south if that future development is of a similar use.

Landscaping

Street landscaping is shown at 31 feet in width with an existing attached sidewalk along Cactus Avenue. A landscape area 3 feet to 14 feet wide with landscaping buffers are shown around the remaining perimeter of the site. Interior to the site, landscaping is located adjacent to the building. The parking lot landscaping is equitably distributed throughout the site.

Elevations

The plans depict a 1 story building with a maximum height of 24 feet. The building has a flat roof behind parapet walls and the building varies in height between 12 feet to 24 feet. The exterior of the building has the standard façade for a Dutch Bros coffee shop including vertical ribbed siding walls, brick veneer accents, aluminum store front windows and doors, and metal awnings. On the west elevation of the building is a walk-up window only with no outdoor seating for the public.

Floor Plans

The plans depict a 950 square foot building for the proposed coffee shop. The entire building will be used for the preparation of beverages. There is no inside seating area for the customers.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the overall site plan, building elevations, and layout are compatible with other commercial developments in the area. According to the applicant this section and area of Cactus Avenue has been in transition over the past 10 years to local business uses which are neighborhood serving uses. Many of the developed parcels in this area to the immediate east and north are zoned C-1 or C-2; therefore, have the same intensities and similar to the requested zoning and use. Furthermore, the proposed zone change will not result in any additional impacts on the surrounding infrastructure already contemplated in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
LUP-20-700132	Redesignated the planned land use category from RS (Residential Suburban) to CG (Commercial General)	Cancelled by BCC	July 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Vehicle maintenance facility
South & West	Neighborhood Commercial	R-E	Undeveloped
East	Mid-Intensity Neighborhood (up to 8 du/ac)	C-1	Convenience store with gasoline pumps

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

The applicant indicates this section of Cactus Avenue has been in transition over the past 10 years to local business uses which are neighborhood serving uses. Furthermore, the site is located in close proximity to the intersection of Cactus Avenue and Dean Martin Drive which are an arterial and collector street, typically designated and developed with commercial uses.

Staff finds there has been continued construction of both commercial and residential (single family and multiple family) uses in the area, along with increased traffic from the Cactus Avenue freeway interchange which has resulted in a more traditional commercial and intense development pattern along Cactus Avenue. The site is near 2 arterial streets, and the project is adjacent to a developed convenience store and gasoline station to the east. The immediate area consists of a predominant land use character of existing, approved, or planned C-1 and C-2 zoned uses.

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

The applicant states many of the developed parcels in this area to the immediate east and north are zoned C-1 or C-2, therefore, they have the same intensities and are similar to the requested zoning and use.

The intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. This request for C-1 zoning is compatible with the existing and proposed land uses in the area. The design and layout of this project have addressed some of the impacts that come with the sensitivity of commercial development adjacent to less intensive uses. The plans depict adequate parking on-site, and sensitivity was given to site design, building materials, and landscape buffers.

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

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

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

The proposed amendment conforms to Code requirements as well as adopted plans, goals, and policies. This proposed project is located adjacent to other commercial developments and is designed with landscaping to screen and buffer adjacent uses which exceed Code requirements, and appropriately screens and buffers the parcels in the immediate area. This section of Cactus Avenue has been in transition over the past ten years to local business uses which are neighborhood serving uses and comply with policy 3.2.5 which encourages sustainable growth of areas in the County.

Summary

Zone Change & Design Review

Increased residential growth in Enterprise has increased the demand for supporting commercial development, and the location of the proposed C-1 zoning is compatible with surrounding existing and planned land uses. The proposed intensity of the project is compatible with the existing and planned land uses in this area. There is no indication that the project will have a substantial adverse effect on public facilities and services in this area; and the request complies with other Goals and policies within the Master Plan. Furthermore, the project provides appropriate buffers, building height, and a double queuing lane for the drive-thru. The proposed

landscaping and building materials comply with Title 30 standards, and are appropriate for the area. As a result, staff can support the zone change and design review.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 17, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide services because of a lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a 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.

Fire Prevention Bureau

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds.

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 #0059-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JOSEPH BONIFATTO
CONTACT: CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV
89101

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

5A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

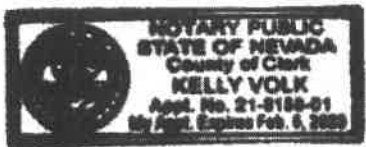
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>NZC.22.0324</u> DATE FILED: <u>5.23.22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6.29.22</u> PC MEETING DATE: <u>7.19.22</u> R-E to C.I. BCC MEETING DATE: <u>8.17.22</u> Mid-Intensity Suburban Neigh FEE: <u>\$2,605.00</u> JJ LRP 20.700132
PROPERTY OWNER	NAME: <u>Doreen Gunn Family Trust</u> ADDRESS: <u>3952 52 SE</u> CITY: <u>Calgary</u> STATE: <u>AB</u> ZIP: <u>T2B3H1</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>	
APPLICANT	NAME: <u>Joe Bonifatto</u> ADDRESS: <u>11700 W. Charleston Blvd #170-32</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-735-5700</u> CELL: <u>N/A</u> E-MAIL: <u>joeb@bphold.com</u> REF CONTACT ID #: <u>N/A</u>	
CORRESPONDENT	NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-32-101-020
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin Drive and Cactus Avenue
 PROJECT DESCRIPTION: Non-Conforming Zone Change for a Proposed Restaurant (Coffee Shop)

(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.

Doreen Gunn Doreen Gunn
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 3-11-2022 (DATE)
 by Doreen Gunn
 NOTARY PUBLIC: Kelly Volk



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

LAW OFFICE

Brown, Brown & Premisrut

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563
FACSIMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

April 27, 2021

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

NCC - 22-0324

RE: Justification Letter

**Cactus Avenue and Dean Martin Drive (Revision 1)
Non-Conforming Zone Change from R-E to C-1; Design Review for a
proposed Restaurant with a Drive-Thru (Dutch Bros) and Allow
Parallel Parking; Waivers of Development Standards for Alternative
Designs
Assessors' Parcel Number: 177-32-101-020**

To Whom It May Concern:

On behalf of our Client BP Holdings, we respectfully submit this application package for a proposed Non-conforming Zone Change application from Rural Estates Residential (R-E) zoning to Local Business (C-1) zoning for a proposed restaurant with a drive-through. The proposed project is located on the south side of Cactus Avenue approximately 260 feet west of Dean Martin Drive on a total of 0.6 acres. The current zoning of the site is R-E (Rural Estates Residential) and designated Mid-Intensity Suburban Neighborhood (MN) in the Clark County Master Plan within the Enterprise planning area. North, across Cactus Avenue are existing C-1 and C-2 zoned commercial developments including a convenience store and gasoline station designated Corridor Mixed-Use (CM) in the Master Plan. To the west and south of the proposed restaurant is an 'L' shaped parcel zoned R-E zoned parcel which is developed as a single-family residence. The residence burned down a few years ago and is now designated as Neighborhood Commercial (NC) in the Master Plan. Immediately east is a C-1 zoned commercial center including a convenience store and gasoline station. Farther south and west is an apartment complex zoned R-3. Except for the parcels along the south and west property lines of the parcel all the other adjacent parcels are commercial developments zoned C-1 or C-2.

Project Description:

The proposed restaurant is 950 square feet with a drive-thru and is located on the northern portion of the site. The drive-thru lanes are along the south and east sides of the building. Two queuing lanes are depicted along the south and east sides of the building merging into one lane on the northeastern side of the building. One (1) access point is depicted on Cactus Avenue to the site. A proposed cross access driveway is depicted to the south to the 'L' shaped parcel to the west and south (if the future development of this parcel is a compatible use with the proposed use). A total of 14 parking spaces including one (1) handicap accessible space is provided where 10 parking spaces are required. Bicycle racks are provided as required by Code. The parking provided included six (6) parallel spaces located along the west property line. The trash enclosure is located southwest of the restaurant and is 37 feet from the west property line. The loading area is relocated just north of the trash enclosure and southwest of the restaurant building.

Elevations:

The restaurant is 24 feet high to the top of the parapet with the typical building materials and colors and signage for the Dutch Bros brand.

Landscaping:

A 34 foot 7 inches wide landscape area with an existing five foot (5) wide attached sidewalk is depicted along Cactus Avenue. The required parking lot landscaping is provided for the parking spaces along the west side of the building. The required bicycle spaces are provided on the southern portion of the site. A landscape buffer of three (3) to 20 feet is provided along the west property line.

Service is provided by a drive-thru or walk-up window only with no outdoor seating for the public. The drive-thru and walk-up window will operate from 5:30 a.m. to 10 p.m., Sunday through Thursday and 5:30 a.m. through 11:00 p.m., Friday through Saturday. There are typically two (2) deliveries a week to the restaurant. A total of forty (40) to fifty (50) employees with a shift crew size of four to six (4-6) is anticipated for this location.

Signage is not a part of this application.

Non-Conforming Zone Change:

Zone Change from an R-E zone to a C-1 Zone for a 0.6 acre parcel for a proposed restaurant and drive-through.

Zone Change:

Compelling Justifications:

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

The proposed project is located within the Enterprise Township and Planning area. This section of Cactus Avenue has been in transition over the past ten (10) years to local business uses which are neighborhood serving uses and complies with policy 3.2.5 which encourages sustainable growth of areas in the County. In this immediate area the parcel to the immediate east is zoned and developed as a C-1 zoned commercial center although the site is designated as Mid-Intensity Suburban Neighborhood. The parcel to the west with a building that burned down a few years ago is designated NC and is located farther away from the intersection of the intersection Cactus Avenue and Desert Inn Road than the subject application. The commercial parcels to the northeast of the site are either zoned C-1 or C-2 and are either developed, approved and or under development with commercial uses. The site is located in close proximity to the intersection Cactus Avenue and Dean Martin Drive which are an arterial and collector street, typically designated and developed with commercial uses. This project complies with County wide Goals 6.1 and policies that support coordinated patterns of development including 6.1.6 that encourage infill development. The request is appropriate although, the site is not currently designated as NC, however, other C-1 zoned neighborhood commercial using uses are located in the immediate area which all also provide employment opportunities for the area. The proposed zone change application is justified because the use fronts on Cactus Boulevard and is across the street from parcels along this portion

of the street with the same zoning that are developed, approved, and or under development in the last few years.

- 2) The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land use in the surrounding area; and**

Many of the developed parcels in this area to the immediate east and north are zoned C-1 or C-2, therefore, have the same intensities and similar to the requested zoning and use. The proposed zoning will provide another neighbor serving use for the area. The project proposed is appropriate and compatible with the current and future, trends, land use designations, zoning categories, and land uses in the immediate area. Additionally, the other properties to the north, south and portions of the east and farther south at the intersection of Cactus Avenue and Dean Martin Drive are either developed, approved and under development with other commercial uses including C-1 and C-2 zoning indicating that the area is trending or transitioning to local/neighborhood serving business uses with similar uses, zoning, and intensities.

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

There will be no substantial adverse effect on existing public facilities in the area. Since the immediate area is already designated and developed with commercial uses and all surrounding parcels are already developed, therefore, all required public services and infrastructure already exist in the area. The immediate area is developed with commercial uses; therefore, public services may only need to be upgraded or expanded to serve the project with the Developer contributing its fair share of the cost of development as required by the various County Departments and associated Agencies.

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

The proposed amendment conforms to Code requirements as well as adopted plans, goals, and policies. This proposed project is located adjacent to other commercial developments and is designed with landscaping to screen and buffer adjacent uses which exceed Code requirements; and appropriately screens and buffer the parcels to the immediate in the area. This project complies with policies EN-1.1 and EN-6.5 to preserve the integrity of the contiguous and uniform development of an area which is the development pattern of this section of Cactus Avenue.

Design Reviews:

For a proposed car Restaurant (coffee shop) with a Drive through (Dutch Bros) and to allow the parallel parking spaces depicted.

Justification:

The proposed restaurant is a community serving use with customers drawn mostly from the immediate area. The use as designed is an appropriate and compatible for the area. This is an infill project within a quarter mile of the intersection of a section line and a half section street and is, therefore, an appropriate and compatible use for the area. The use as proposed fulfils the growth management goals and requirements outlined in the Master Plan by developing a parcel located between a developed parcel and a parcel designated in the Master Plan for a future commercial use. This project will maximize the capacities of the existing infrastructure and services in the immediate area. The development of the site will also mitigate existing dust issues for the adjacent residential uses.

We appreciate your review of this application and looking forward to your comments to proceed with the future 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 & Premisrlut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Sincerely,

BROWN, BROWN & PREMSRILT



Eugene Ohene
Land Use and Development Consultant

07/19/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

ARBY AVE/SCHIRLLS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0304-LOCKE JOHN MARSHALL & AUDRIE:

VACATE AND ABANDON easements of interest to Clark County located between Schirlls Street and Hinson Street and between Arby Avenue and Capovilla Avenue within Enterprise (description on file). MN/nr/tk (For possible action)

RELATED INFORMATION:

APN:
177-06-802-003

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

BACKGROUND:

Project Description

This is a request to vacate and abandon patent easements. The plan depicts the vacation and abandonment of a 33 foot wide patent easement located on the east side of the site, extending from the rear of the site to Arby Avenue, and a 3 foot wide patent easement existing on the north side of the site adjacent to Arby Avenue. These easements are no longer needed since the property is developed.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0946-15 (ET-0008-17)	First extension of time for oversized accessory apartment and garage - expired	Approved by PC	March 2017
UC-0946-14	Oversized accessory apartment and garage - expired	Approved by PC	January 2015
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

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

Related Applications

Application Number	Request
UC-22-0303	Oversized accessory structure (garage) and driveway setbacks is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AUDRIE LOCKE

CONTACT: AUDRIE LOCKE, 4203 W. ARBY AVE, LAS VEGAS, NV 89118

DRAFT

APR 21-10/583



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		DEPARTMENT USE	APP. NUMBER: <u>VS-22-0304</u>	DATE FILED: <u>5/12/22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):			PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>6/29/22</u>
			TAB/CAC: <u>Enterprise</u>	PC MEETING DATE: <u>7/19/22</u>
			BCC MEETING DATE: _____	FEE: <u>\$ 875</u>

PROPERTY OWNER	NAME: <u>JOHN & AUDRIE LOCKE</u>
	ADDRESS: <u>4203 W. ARBY AVE.</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: <u>702-219-2601</u>
	E-MAIL: <u>AUDRIEANDJOHN@GMAIL.COM</u>

PROPERTY APPLICANT	NAME: <u>JOHN & AUDRIE LOCKE</u>
	ADDRESS: <u>4203 W. ARBY AVE.</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: <u>702-219-2601</u>
	E-MAIL: <u>AUDRIEANDJOHN@GMAIL.COM</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Geo Professionals Limited</u>
	ADDRESS: <u>1895 N. Michael Way</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89108</u>
	TELEPHONE: <u>702-427-5293</u> CELL: _____
	E-MAIL: <u>rcsmedley@live.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-06-802-003

*NOTE: _____

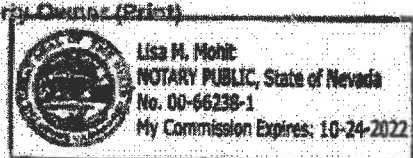
PROPERTY ADDRESS and/or CROSS STREETS: 4203 W. Arby Avenue, Las Vegas, NV 89118

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

[Signature]
Property Owner (Signature)*

Audrie Locke
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 3th day of April 2022
by John & Audrie Locke
NOTARY PUBLIC: Lisa M. Mohr



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



PLANNER
COPY

VS-22-0304

JAM Residential Design & Drafting

JASON MAHEU R.D. LIC # 249-P

JUSTIFICATION LETTER:

John & Audrey Locke
4203 W. Arby Ave.
Las Vegas, NV 89118
4-19-2022

To whom it may concern,

This letter is support of an application to vacate a patent easement.

VA#1 to allow for a vacation of a patent easement on the property located at APN# 177-06-802-003. The lot size is 0.55 acres. This patent easement was previously vacated, but the documents were not accurate per the comment from public works. At this time, we are being required to vacate this patent easement to build a new detached garage. This easement is on the East and North sides of the property.

The vacation of this easement is compatible with the character of the community being rural.

It is the opinion of this office that the granting of this requests is appropriate and would have no ill effect.

Respectfully requested,
Jason Maheu R.D.

A handwritten signature in black ink, appearing to read "Jason Maheu", is written over the typed name.

652 MIDDLEGATE RD. #B
HENDERSON, NEVADA 89011

JAMDESIGN2@GMAIL.COM

PHONE: (702) 262-7955
FAX: (702) 253-1182

07/19/22 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

ARBY AVE/SCHIRLLS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0303-LOCKE JOHN MARSHALL & AUDRIE:

USE PERMIT to allow an accessory structure larger than one half the footprint of the existing principal dwelling.

WAIVER OF DEVELOPMENT STANDARDS for modified driveway design in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Arby Avenue, 208 feet east of Schirlls Street within Enterprise. MN/nr/tk (For possible action)

RELATED INFORMATION:

APN:

177-06-802-003

USE PERMIT:

Allow a 1,775 square foot accessory building (garage) to exceed one half of the footprint (1,104 square feet) of the principal dwelling per Table 30.44-1 (a 60.1% increase).

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the required setback from the property line to the driveway to 3 feet where 6 feet is required per Uniform Standard Drawing 222.2 (a 50% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4203 W. Arby Avenue
- Site Acreage: 0.6
- Number of Stories: 1
- Building Height (feet): 20 feet 3 inches
- Square Feet: 2,209 (house)/1,775 (garage)

Site Plan

The plan shows a 2,209 square foot 1 story single family residence facing Arby Avenue. A driveway extension is proposed on the west side of the site leading to a proposed 1 story, 1,775

square foot accessory structure (garage). The proposed driveway extension to the backyard will be paved and the driveway is proposed 3 feet from the property line.

Landscaping

Landscaping is not part of this request. Existing mature landscaping is existing in the front yard and the rear yard.

Elevation

The plan shows a 1 story stucco and shingle roof garage with 3 overhead doors and a walk-thru door facing north towards the house. The overall height of the structure will be 20 feet 3 inches.

Floor Plans

The interior of the building will be an open floor plan with a restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed accessory structure (garage) will be used to protect belongings from the sun and the weather. The proposed driveway encroachment is due to the proposed driveway extension from the front yard to the rear yard and garage.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0946-15 (ET-0008-17)	First extension of time for oversized accessory apartment and garage - expired	Approved by PC	March 2017
UC-0946-14	Oversized accessory apartment and garage - expired	Approved by PC	January 2015
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-22-0304	A request to vacate patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

The plans show that the proposed garage building is located behind the existing principal dwelling as required by Code and will be minimally seen from Arby Avenue or Schirlls Street. Additionally, the building will be architecturally compatible with the primary dwelling; therefore, staff can support the request.

Waiver of Development Standards

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

Public Works - Development Review

Waiver of Development Standards

Staff does not object to the driveway location provided that adequate protection for the fire hydrant is approved by the Las Vegas Valley Water District.

Staff Recommendation

Approval

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

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

Public Works - Development Review

- Applicant is advised to contact the Las Vegas Valley Water District for protection of the fire hydrant on the northwest corner of the site.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; and to contact the Southern Nevada Health District with regards to modifying existing plumbing fixtures.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AUDRIE LOCKE

CONTACT: AUDRIE LOCKE, 4203 W ARBY AVE, LAS VEGAS, NV 89118

APR 21-101583



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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>UC-22-0303</u> DATE FILED: <u>5/12/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: <u>7/19/22</u> BCC MEETING DATE: _____ FEE: <u>\$1150</u>
	PROPERTY OWNER NAME: <u>JOHN & AUDRIE LOCKE</u> ADDRESS: <u>4203 W. ARBY AVE.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702-219-2601</u> E-MAIL: <u>audrieandjohn@gmail.com</u>
	APPLICANT NAME: <u>JOHN & AUDRIE LOCKE</u> ADDRESS: <u>4203 W. ARBY AVE.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702-219-2601</u> E-MAIL: <u>audrieandjohn@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>JOHN & AUDRIE LOCKE</u> ADDRESS: <u>4203 W. ARBY AVE.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702-219-2601</u> E-MAIL: <u>audrieandjohn@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-06-802-003

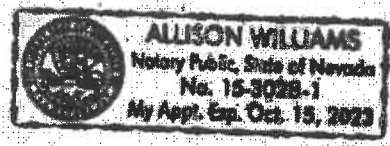
PROPERTY ADDRESS and/or CROSS STREETS: 4203 W ARBY AVE

PROJECT DESCRIPTION: VARIANCE FOR SIZE OF ACCESSORY STRUCTURE & WAIVER FOR DRIVEWAY

(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.

Audrie Locke Audrie Locke
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2021 (DATE)
 by Audrie Locke
 NOTARY PUBLIC: Allison Williams



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



**PLANNER
COPY**

UC-22-0303

JAM Residential Design & Drafting

JASON MAHEU R.D. LIC # 249-P

JUSTIFICATION LETTER:

John & Audrey Locke
4203 W. Arby Ave.
Las Vegas, NV 89118
12-28-2021

To whom it may concern,

This letter is support of a special use permits

UC#1 to allow an accessory building larger than the allowed 50% of the footprint of the main dwelling and Proposed area 1,775 s.f. where 1,104 s.f. is allowed per Table 30.44 (accessory uses and structures).

WS#1 to allow for the reduction in setback for the driveway from 6'-0" to 3'-0" on the North property line.

This is for an accessory building on the property at APN# 177-06-802-003. The lot size is 0.55 acres. The existing dwelling unit footprint is 2,209 S.F. The proposed garage will be located on the Southwest corner of the lot approx 83'-0" from the primary residence and be 1,775 S.F. This new accessory building would match the existing materials and colors of the existing dwelling. The owner needs additional garage space on their property to protect their belongings from the weather. They were not the builders of the original house and had no say in the size of that structure which determines the allowable size of the new accessory structure. The size of the lot should allow the ability to have a larger accessory building since there is plenty of room available. The location of the accessory structure is determined by the access to the rear yard without driving over the leach field and allowing access and driveway to the garage doors. This location will allow for the addition of a pool in the future behind the house. No new walls or gates will be added for this project.

There are many other properties in this area with large accessory buildings. This structure will match the main structure and we feel this is compatible with the character of the community being rural.

It is the opinion of this office that the granting of these requests is appropriate and would have no ill effect.

Respectfully requested,
Jason Maheu R.D.

652 MIDDLEGATE RD. #B
HENDERSON, NEVADA 89011

PHONE: (702) 262-7955
FAX: (702) 253-1182

JAMDESIGN2@GMAIL.COM

07/19/22 PC AGENDA SHEET

PAWN SHOP
(TITLE 30)

CACTUS AVE/SCHIRLLS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0314-LV CACTUS SCHIRLLS, LLC:

USE PERMIT for a pawn shop.

DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.0 acres in a C-2 (General Commercial) Zone.

Generally located on the northwest corner of Cactus Avenue and Schirlls Street within Enterprise. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

177-30-812-001

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4312 W. Cactus Avenue
- Site Acreage: 2
- Project Type: Pawn shop
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 3,500
- Parking Required/Provided: 101/101

Site Plans

The plans depict a commercial center consisting of 3 retail buildings, including a tavern. The retail building located on the northwestern portion of the site is divided between 2 retail units, including the proposed pawn shop. A fast food building and tavern are located on the south and eastern portion of the site. There is a drive-thru aisle along the north, east, and south sides of the retail/fast food building. Parking is distributed throughout the site. The site has access to Schirlls Street and to Cactus Avenue via a driveway shared with the adjacent C-1 zoned property to the west. The site design was previously approved by NZC-19-0455 and ADR-20-900544.

Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Cactus Avenue, and a 10 foot wide landscape area with an attached sidewalk along Schirlls Street. A 10 foot wide intense landscape buffer per Figure 30.64-12 is provided along the north property line. Interior parking lot trees are distributed throughout the site. The landscape consists of various trees, shrubs, and groundcover. The adjacent property to the north has many mature and large trees adjacent to the property line.

Elevations

All of the buildings have flat roofs with parapet walls and similar façades. The facades consist of stucco finish, metal panels, awnings, and aluminum storefront systems. The 3 retail buildings have varied rooflines ranging in height from 23 feet to 25 feet while the tavern ranges in height from 23 feet to 29 feet.

Floor Plans

The retail building that includes the proposed pawn shop is 8,000 square feet. The pawn shop includes 3,500 square feet on the east half of the building. The pawn shop pedestrian access is located on the south side of the building with additional emergency and employee access on the north side of the building.

Signage

The sign plan depicts 2 wall signs, each with 105 square feet of channel letter face on the south and east walls of the building. The sign on the east wall will be located at the southeast corner of the building. The sign on the south wall is located at the southeast corner of the building, facing south. The bulk of the signs are approximately 10 feet by 10 feet in area with the same messaging. Primary copy is LED illuminated with secondary copy not illuminated. The letters are mounted less than 2 inches from the building and less than 1 foot deep. The edge of the east facing sign will be approximately 50 feet from the north property line and approximately 120 feet from the residential home to the northeast.

Applicant's Justification

The applicant was recently awarded a pawn shop license by Clark County and needs to obtain a special use permit to move forward with the business in this location. This pawn shop location is not within 1,500 feet of a gaming enterprise district. The proposed wall signs are included for review as a design review to ensure compliance with Code. The lighting plan complies with Title 30 requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0138	Vacated easements and right-of-way	Approved by ZA	April 2020
NZC-19-0455	Restaurant, alcohol, tavern separation	Approved by BCC	September 2019

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0881-18	Reclassified the site from R-E to C-1 zoning for a commercial center	Approved by BCC	January 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E	Single family residential
South	Major Development Project (Southern Highlands)	R-2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Neighborhood Commercial	C-1	Undeveloped commercial center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed pawn shop is a retail operation with access and traffic demand that will not create a substantial or undue adverse effect on adjacent property, or character of the neighborhood. The proposed pawn shop will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Design Review

The proposed wall signs are located at the southeast corner of the retail building. The east facing sign will be approximately 50 feet from the north property line and about 120 feet from the nearest home to the north. The east facing sign is between 12 feet and 20 feet in height on the building. A 10 foot intense landscaping buffer and existing mature trees on the adjacent property to the north screen the proposed sign from the existing home to the north. The proposed signs will not create a substantial or undue adverse effect on adjacent property, or character of the property.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

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 #0306-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TNT PAWN NV, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

8A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

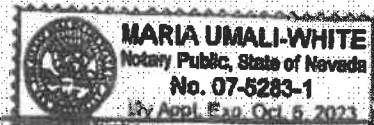
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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>UC-22-0314</u> DATE FILED: <u>5-18-2022</u> PLANNER ASSIGNED: <u>EBB</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6-29-2022</u> PC MEETING DATE: <u>7-19-2022</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>LV Cactus Schirlis, LLC</u> ADDRESS: <u>11510 Myatic Rose Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>TNT Pawn NV, LLC</u> ADDRESS: <u>801 S. Rampart #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Jennifer Lazovich</u> ADDRESS: <u>1880 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>184874</u>

ASSESSOR'S PARCEL NUMBER(S): 177-30-812-001
 PROPERTY ADDRESS and/or CROSS STREETS: Cactus and Schirlis
 PROJECT DESCRIPTION: Pawn Shop

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

[Signature] LV Cactus Schirlis LLC
 Property Owner (Signature) Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME on APRIL 21, 2022 (DATE)
 By [Signature]
 NOTARY PUBLIC:



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

APR-22-100536

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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jlazovich@kcnvlaw.com
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RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

May 13, 2022

VIA UPLOAD

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

**PLANNER
COPY**

**Re: Justification Letter – Special Use Permit to Allow a Pawn Shop
APN: 177-30-812-001
TNT Pawn NV, LLC**

To Whom It May Concern:

Please be advised our office represents TNT Pawn NV, LLC (the "Applicant") in the above-referenced matter. The Applicant is proposing a pawn shop use on property located at the northwest corner of Cactus Avenue and Schrills Street, more particularly described as APN: 177-30-812-001 (the "Site"). The Site is approximately 2.09 acres. By way of background, the Site was approved for a zone change to C-2 along with an approved commercial retail development in 2019 via NZC-19-0455. The Site is currently under development with several buildings already constructed. The Applicant is only requesting a special use permit, as further discussed below, and, therefore, the approved site plan, landscape plan, and design review as a whole remains the same with no changes.

The Applicant was recently awarded a pawn shop license by Clark County. The Applicant is now looking to establish a pawn shop on the Site in a building recently constructed located on the northwest portion of the Site. The total square footage of the pawn shop is approximately 3,500 square feet. In a C-2 zoned district with special use permit approval, a pawn shop is allowed so long as the pawn shop is not within 1,500-feet of any Gaming Enterprise District (GED). Here, the Site, and more specifically the pawn shop, is not located within 1,500-feet of any GED. Additionally, the proposed use is appropriate as the Site is located along Cactus Avenue, a 100-foot right-of-way, and in an approved commercial retail development with a variety of commercial uses.

The Applicant is including proposed signage for the project with this submittal. The signage complies with Code; however, the Enterprise Town Board likes to review proposed signage for projects therefore, we have provided the signage for their review and possible comments. Likewise, the lighting plan complies with Title 30 standards.

Per Jason Allswang, from Public Works, no cross sections are required as this use is being proposed in a building that has already been approved with the approval of the shopping use via NZC-19-0455 and no changes to that approval are being proposed.



We thank you in advance for your time and consideration of the application. Should you have any questions, please feel free to contact me.

Very truly yours,

KAEMPFFER CROWELL

Jennifer Lazovich

/ajc

**PLANNER
COPY**

PAWN SHOP
(TITLE 30)

BLUE DIAMOND RD/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0316-RIVIERA SHOPPING CENTER LTD:

USE PERMIT for a pawn shop.

WAIVERS OF DEVELOPMENT STANDARDS to reduce the separation between a pawn shop and a residential use.

DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.8 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Cimarron Road and the south side of Blue Diamond Road within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-214-002

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the separation between a pawn shop and a residential use (single family) to 188 feet where a minimum separation of 200 feet is required per Table 30.44-1 (a 6% reduction).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9265 S. Cimarron Road
- Site Acreage: 2.8
- Project Type: Pawn shop
- Number of Stories: 1
- Building Height (feet): 32.5
- Square Feet: 2,427 (lease space)/40,080 (overall shopping center)
- Parking Required/Provided: 160/162

Site Plans

The plans depict an existing shopping center consisting of 5 buildings with a cumulative area of 40,080 square feet. Pad 01 is located along the north property line, adjacent to Blue Diamond

Road. Pad 04 and Pad 05 are located along the west property line, adjacent to the existing single family residential development. Pad 03 is located along the south property line. Pad 02 is centrally located within the development; however, is not a part of this application as the building is located on a separate parcel (APN 176-21-318-001). The proposed pawn shop is located within Pad 01, located at the north portion of the development. Access to the site is granted via 2 existing commercial driveways located adjacent to Cimarron Road. An existing detached sidewalk measuring 5 feet in width is also located along Cimarron Road. The project site requires 160 parking spaces where 162 parking spaces are provided.

Landscaping

All street and site landscaping exists and no changes are proposed or required to the existing landscaping.

Elevations

The plans depict an existing commercial building measuring 32.5 feet to the top of the parapet wall. The existing building features varying rooflines incorporating a Spanish clay roof tile. The exterior of the building consists of painted stucco, painted decorative metal awnings, and an aluminum storefront window system.

Floor Plans

The plans depict a 2,427 square foot lease space that will be utilized as a pawn shop. The floor plans include an office/safe room, display areas, loan counter, gun room, breakroom, restroom facilities, and a storage area.

Signage

The plans depict proposed wall signage consisting of illuminated channel letters on the north and south elevations of the building. Two wall signs, with red, black, and gold lettering are depicted on the north elevation of the building, oriented towards Blue Diamond Road. Two wall signs featuring the same aforementioned colors are depicted on the south elevation, oriented towards the interior of the project site. All signage complies with Code requirements, and is not oriented towards residential development.

The following table is a summary of the proposed signage:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Wall	0	230	230	Unlimited	0	4	4
Overall Total	0	230	230	-	0	4	4

Applicant's Justification

The applicant states that although the pawn shop will be less than 200 feet from the residential use to the west, the proposed use is appropriate for the following reasons: 1) there is an existing building on the site between the residential use and proposed pawn shop use to create a buffer; 2) the site and residential use are accessed from different points with the site accessed from Cimarron Road directly, and the residential is accessed from Montecito Ridge Road with the subject site having no access to Montecito Ridge Road; 3) the site is located on Blue Diamond

Road, a state highway; 4) the site is located at the busy signalized intersection of Blue Diamond and Road Cimarron Road; and 5) all 4 corner of the intersection have commercial developments.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0253	Hookah lounge with outside dining	Pending PC action	June 2022
NZC-0344-13	Reclassified 2.7 acres to C-1 zoning for a portion of an existing retail center	Approved by BCC	September 2013
UC-0203-13	Commercial uses in an H-2 zoned commercial center (included restaurant use)	Approved by PC	June 2013
UC-0534-10	Convenience store with alcohol sales, packaged only (beer, wine, and liquor)	Approved by BCC	December 2010
UC-0626-08	Service bar in conjunction with a proposed restaurant (9285 Cimarron Road #100)	Approved by PC	August 2008
WS-0182-07	Alternative landscaping materials and alternative landscape buffer standards with a design review for modifications to an approved commercial development	Approved by PC	March 2007
WS-1709-06	Allowed no sidewalks along Blue Diamond Road	Approved by BCC	January 2007
UC-1138-06	Retail commercial development with a design review for retail and service center in an H-2 zone	Approved by BCC	November 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Emergency care facility
South	Open Lands	R-F	Local park and drainage facility
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Mixed-use development
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

The intent of the C-1 zoning district is to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. Staff does not anticipate any adverse impacts from the pawn shop and finds that the use is compatible with the C-1 zoning district and existing development in the surrounding area. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends approval.

Waiver of Development Standards

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

The reduced separation between the proposed pawn shop and the single family residential use to the west is minimal and should not impact the surrounding land uses and properties. Furthermore, the proposed pawn shop is buffered by an existing commercial building along the west property line, adjacent to the residential development; therefore, staff recommends approval.

Design Review

The proposed signage complies with the requirements of the Development Code and is not oriented towards residential development. The wall signs are compatible with the existing signs within the shopping center, and should not impact the surrounding land uses and properties; therefore, staff recommends approval.

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning:

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

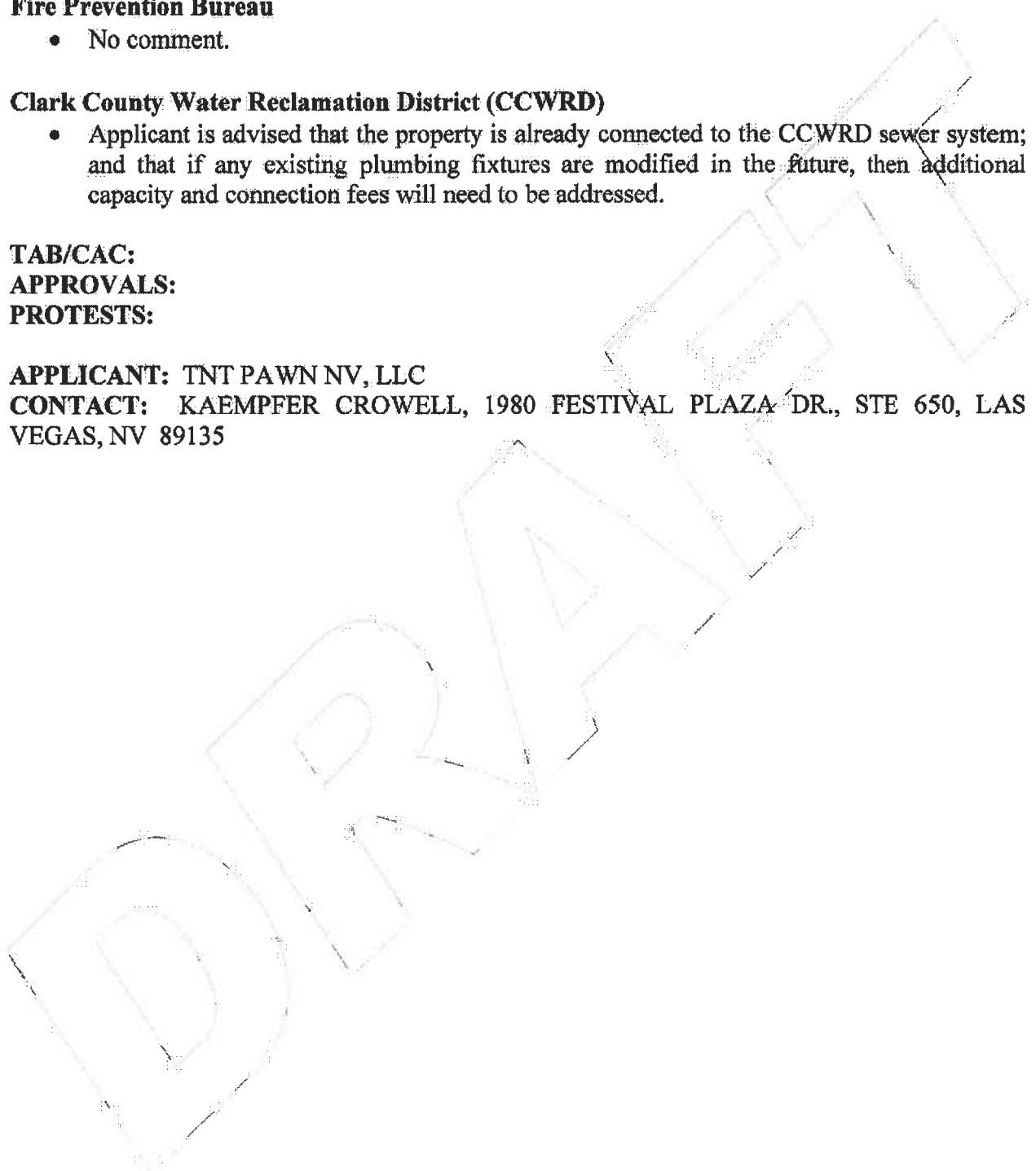
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TNT PAWN NV, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135





LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

9A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" 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 style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-22-0316</u> DATE FILED: <u>5/19/22</u></p> <p>PLANNER ASSIGNED: <u>MMD</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/22</u></p> <p>PC MEETING DATE: <u>7/19/22 @ 7.00 PM</u> <u>6:00 PM</u></p> <p>BCC MEETING DATE: <u>—</u></p> <p>FEE: <u>\$1,825.00</u></p>
	PROPERTY OWNER	<p>NAME: <u>Riviera Shopping Center, LTD, Limited Partnership</u></p> <p>ADDRESS: <u>145 E. Harmon Ave., #38621</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u></p> <p>TELEPHONE: <u>000-000-000</u> CELL: <u>000-000-000</u></p> <p>E-MAIL: <u>N/A</u></p>
	APPLICANT	<p>NAME: <u>TNT Pawn NV, LLC</u></p> <p>ADDRESS: <u>801 S. Rampart Blvd., #200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u></p> <p>TELEPHONE: <u>000-000-000</u> CELL: <u>000-000-000</u></p> <p>E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u></p>
	CORRESPONDENT	<p>NAME: <u>Kaempfer Crowell - Jennifer Lazovich</u></p> <p>ADDRESS: <u>1980 Festival Plaza Dr., #650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u></p> <p>E-MAIL: <u>apierce@kcnylaw.com</u> REF CONTACT ID #: <u>164674</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-21-214-002

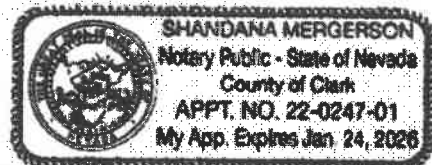
PROPERTY ADDRESS and/or CROSS STREETS: Cimarron and Blue Diamond

PROJECT DESCRIPTION: Pawn Shop

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.

Koussy Okko
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON April 27, 2022 (DATE)
 By Koussy Okko
 NOTARY PUBLIC: _____



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

**KAMPTER
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcrlaw.com
702.792.7050

LAS VEGAS OFFICE
1990 Festival Plaza Drive
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Fax: 702.792.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.982.3000
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.682.9300
Fax: 775.682.9267

May 16, 2022

VIA UPLOAD

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

UC-22-0316

**Re: Justification Letter – Special Use Permit to (1) Allow a Pawn Shop and (2) Waiver of Development Standards to Reduce Separation of a Pawn Shop Use to a Residential Use and Design Review for proposed Signage
APN: 176-21-214-002
TNT Pawn NV, LLC**

PLANNER
COPY

To Whom It May Concern:

Please be advised our office represents TNT Pawn NV, LLC (the "Applicant") in the above-referenced matter. The Applicant is proposing a pawn shop use on property located at the southwest corner of Blue Diamond Road and Cimarron Road, more particularly described as APN: 176-21-214-002 (the "Site"). The Site is approximately 2.74 acres. By way of background, the Site was approved for a zone change to C-1 in 2013 via NZC-0344-13. The Site is a developed commercial shopping center.

The Applicant was recently awarded a pawn shop license by Clark County. The Applicant is now looking to establish a pawn shop on the Site in a portion of an existing building located on the hard corner of Blue Diamond Road and Cimarron Road (the northeast corner of the Site). The total square footage of the pawn shop is approximately 5,808 square feet. In a C-1 zoned district with special use permit approval, a pawn shop is allowed so long as the pawn shop is not within 1,500-feet of any Gaming Enterprise District (GED). Here, the Site, and more specifically the pawn shop, is not located within 1,500-feet of any GED.

The Applicant, however, is requesting a waiver of development standards to reduce the 200-foot separation between a pawn shop use and residential use. Although the Site and neighboring residential development share a property line, the distance from the residential property line to the western edge of the pawn shop use is approximately 188-feet. Although the proposed pawn shop will be less than 200-feet from the residential use to the west, the pawn shop use is appropriate for the following reasons:

- There is an existing building on the Site between the residential use and proposed pawn shop use to create a buffer.

- The Site and residential use are accessed from different points with the Site accessed from Cimarron Road directly and the residential is accessed from Montecito Ridge Road with the Site having no access to Montecito Ridge Road.
- The Site is located on Blue Diamond Road, a state highway.
- The Site is located at the busy signalized intersection of Blue Diamond Road Cimarron Road.
- All four (4) corner of the Blue Diamond/Cimarron intersection have commercial developments.

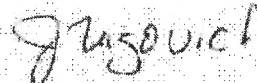
The Applicant is requesting a design review for proposed signage for the project with this submittal. The signage complies with Code; however, the Enterprise Town Board likes to review proposed signage for projects therefore, we have provided the signage for their review and possible comments.

Additionally, since this is an existing developed commercial shopping, no cross-sections are required as part of the land use submittal.

We thank you in advance for your time and consideration of the application. Should you have any questions, please feel free to contact me.

Very truly yours,

KAEMPFER CROWELL



Jennifer Lazovich

PLANNER
COPY

ajc/amp

07/19/22 PC AGENDA SHEET

EASEMENT
(TITLE 30)

BLUE DIAMOND RD/CAMERON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0326-KELEGIAN SHELLY:

VACATE AND ABANDON an easement of interest to Clark County located between Cameron Street and Decatur Boulevard and between Blue Diamond Road and Ford Avenue within Enterprise (description on file). JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-18-303-022

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of an existing 33-foot-wide patent easement located along the south property line of the subject parcel. The applicant states that this easement is no longer needed for the development of the parcel.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-20-0601	Restaurant with drive-thru, signage and lighting, and increased finished grade	Approved by BCC	February 2021
ZC-18-0174	Reclassified the site to C-1 zoning for a restaurant with a waiver for alternative landscaping along Blue Diamond Road	Approved by BCC	June 2018

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

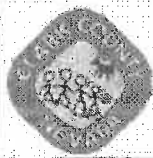
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SHELLY KELEGIAN

CONTACT: JULIA IZZOLO, ZENITH ENGINEERING, 1980 FESTIVAL PLAZA DRIVE, SUITE 450, LAS VEGAS, NV 89135



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0326</u> DATE FILED: <u>5/24/22</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>6/29/20</u> PC MEETING DATE: <u>7/19/20</u> BCC MEETING DATE: _____ FEE: <u>\$ 875</u>
--	----------------	--

PROPERTY OWNER	NAME: <u>Shelly Kelegian</u> ADDRESS: <u>419 Hindry Ave, Suite F</u> CITY: <u>Inglewood</u> STATE: <u>CA</u> ZIP: <u>90301</u> TELEPHONE: <u>424-371-6500</u> CELL: _____ E-MAIL: <u>mark@randysdonuts.com</u>
----------------	--

APPLICANT	NAME: <u>Shelly Kelegian</u> ADDRESS: <u>419 Hindry Ave, Suite F</u> CITY: <u>Inglewood</u> STATE: <u>CA</u> ZIP: <u>90301</u> TELEPHONE: <u>424-371-6500</u> CELL: _____ E-MAIL: <u>mark@randysdonuts.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Zenith Engineering - Julia Izzolo</u> ADDRESS: <u>1980 Festival Plaza Drive Suite 450</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-835-3496</u> CELL: <u>702-835-3496</u> E-MAIL: <u>julia@zenith-lv.com</u> REF CONTACT ID #: _____
---------------	--

ASSESSOR'S PARCEL NUMBER(S): 177-18-303-022

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

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.

Shelly M Kelegian

 Property Owner (Signature)

STATE OF NEVADA
 COUNTY OF ORANGE
 SUBSCRIBED AND SWORN BEFORE ME ON 3-22-2022 (DATE)
 By Shelly Kelegian
 NOTARY PUBLIC: Angel Jimenez

Property Owner (Print)



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



April 19, 2022

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

**Re: Randy's Donuts, Zenith Project No. 211027
Easement Vacation Justification Letter**

Dear Sir or Madam:

Zenith Engineering has been retained by Sansmark LV Inc. to file a vacation application to vacate an existing Patent Easement associated with property located on the on the south side of Blue Diamond Road, west of Cameron Street (Assessor's Parcel Number 177-18-303-022).

We respectfully request to vacate the existing easement that is no longer needed in order to further develop the property.

Please feel free to contact me with any questions or comments at (702) 835-3496. Thank you.

Sincerely,

ZENITH ENGINEERING

A handwritten signature in black ink, appearing to read 'Juli Izzolo', is written over a horizontal line.

Juli Izzolo, PE
Principal

07/19/22 PC AGENDA SHEET

SETBACK
(TITLE 30)

WARBONNET WY/COUGAR AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0323-HORTON, TONIA & MARK L.:

WAIVER OF DEVELOPMENT STANDARDS to reduce the setback of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the northeast corner of Warbonnet Way and Cougar Avenue within Enterprise. JJ/jor/syp (For possible action)

RELATED INFORMATION:

APN:
176-16-710-018

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the setback of a patio cover to 5 feet where 7 feet is required per Table 30.40-1 (a 29% reduction).

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

BACKGROUND:
Project Description
General Summary

- Site Address: 7883 Wildwood Ridge Court
- Site Acreage: 0.5
- Project Type: Patio cover
- Building Height (feet): 10 feet, 6 inches (patio cover)
- Square Feet: 700 (patio cover)

Site Plan

The site plan depicts an existing single family residence located on the northeast corner of Warbonnet Way and Cougar Avenue. Access to the residence is via 1 driveway west of Miller Lane which leads to a private street (Wildwood Ridge Court). The residence is located at the southwestern corner of the parcel, at the end of the hammerhead street. The applicant is proposing to install an attached solid patio cover on the east facing elevation of the home. The proposed interior side set back will be 5 feet from the east property line, where 7 feet is required per Table 30.40-1.

Landscaping

There is existing landscaping within the front and rear yards. Landscaping is neither required nor a part of this request.

Elevation and Floor Plan

The plans show a proposed solid patio cover to be constructed on the east facing elevation of the residence. The patio cover has an overall area of 700 square feet, with an overall height of 10 feet, 6 inches. Furthermore, the patio cover will be open on the south facing elevation, the east facing elevation, and portion of the north facing elevation.

Applicant's Justification

The applicant currently has an active Building Permit (BD22-01475) for a proposed patio cover. The plans show a proposed 700 square foot patio cover (25 feet x 35 feet), to be constructed on the east facing elevation. The waiver request is to allow the patio cover to reduce the setback by 2 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0087-15	Single family residential development on 15.4 acres	Approved by PC	April 2015
WS-0801-13	Single family residential development with 26 lots with waivers for off-site improvements, modified street improvements, reduced setbacks, and a design review	Approved by BCC	April 2014
VS-0802-13	Vacated portions of right-of-way being Wigwam Avenue and an unnamed right-of-way alignment - recorded	Approved by BCC	April 2014
TM-0224-13	27 single family residential lots on 15 acres	Approved by BCC	April 2014
ZC-1026-05	Clark County initiated zone boundary amendment to establish the R-E (RNP-1) zoning for this parcel, the surrounding area, and approximately 3,800 parcels within the Enterprise planning area	Approved by BCC	October 2005

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative. Staff does not oppose the applicant's request to reduce the required patio cover interior side setback to 5 feet where 7 feet is required per Title 30. The proposed patio cover should not impose a negative impact to the applicant's site, or to the neighboring residences. As long as the applicant completes the building permit process (Permit Number - BD22-01475), that is currently in queue with the Clark County Building Department, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MATTHEW LANE

**CONTACT: MATTHEW LANE, PROFICIENT PATIOS, 3310 S. VALLEY VIEW BLVD,
LAS VEGAS, NV 89102**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

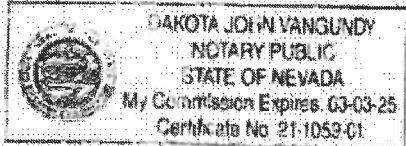
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0323</u> DATE FILED: <u>5/23/22</u> PLANNER ASSIGNED: <u>CLOR</u> TAB/CAC: <u>CLOR</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: <u>7/19/22</u> BCC MEETING DATE: _____ FEE: <u>\$475</u>
	PROPERTY OWNER NAME: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Jordan Duester</u> ADDRESS: <u>2010 S. Valleyview Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89152</u> TELEPHONE: <u>(702) 254-6179</u> CELL: <u>(702) 203-8104</u> E-MAIL: <u>Jordan.Duester@cityoflasvegas.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): _____
 PROPERTY ADDRESS and/or CROSS STREETS: _____
 PROJECT DESCRIPTION: _____

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

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

STATE OF _____
 COUNTY OF _____
 SUBSCRIBED AND SWORN TO BEFORE ME ON _____ (DATE)
 By _____
 NOTARY PUBLIC: _____



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

**Proficient Patios
& BACKYARD DESIGNS**

Justification Letter

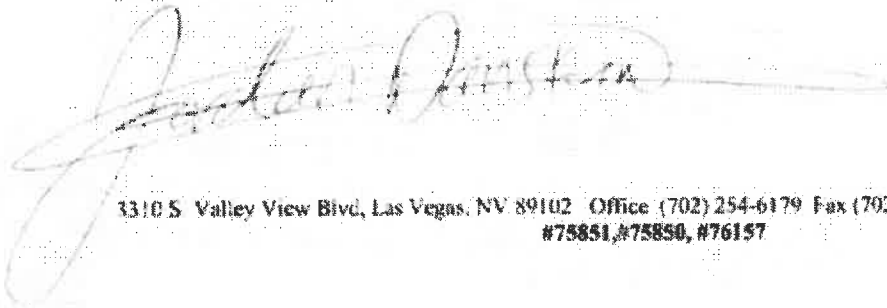
WS-22-8323

To whom it may concern:

We are asking for a variance for permit number BD22-01475, for residence 7883 Wildwood Ridge CT. We are requesting a variance for reduction of setback where the requirement is 7' and requesting 5' minimum setback for our future patio cover.

Thank you for your consideration.

Jordan Danskin



3310 S. Valley View Blvd, Las Vegas, NV 89102 Office (702) 254-6179 Fax (702) 255-7084 Lic #65168 #76122,
#75851, #75850, #76157

07/20/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

STARR AVE/FAIRFIELD AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400075 (NZC-18-1028)-PN II, INC.:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 15.0 acres from R-E (Rural Estates Residential) Zone to R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Starr Avenue and the west side of Fairfield Avenue (alignment) within Enterprise (description on file). MN/lm/tk (For possible action)

RELATED INFORMATION:

APN:

177-33-801-019

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 15
- Number of Lots: 61 (single family residential lots)/3 (common element)
- Density (du/ac): 4.8 (R-1 Zone)/3.2 (R-D Zone)
- Minimum/Maximum Lot Size:
 - R-1 Zone: 5,330/6,915 (gross)/4,738/6,070 (net)
 - R-D Zone: 10,354/15,146 (gross)/9,013/13,003 (net)
- Project Type: Single family residential development
- Number of Stories: 2 & 3
- Building Height (feet): Up to 35
- Square Feet: 2,940/4,217

History

The original application zoning request was approved with a portion of the site reduced to R-D zoning; however, the plans for the single family residential development was denied. The site design, improvements, and residences were subsequently approved per WS-20-0012. The site plan, landscaping, elevations, and floor plans detailed below are from WS-20-0012.

Site Plans

The approved plans depict a single family residential subdivision consisting of 61 lots. The area for the R-1 zoned lots along Starr Avenue includes a landscape easement between the walls of the subdivision and Starr Avenue. Additionally, a 6 foot wide landscape easement is shown adjacent to the corner lots within the interior of the site. Therefore, the net lot area (the useable area) of these lots range in size from a minimum of 4,738 square feet to a maximum of 6,070 square feet. The area of the R-D zoned lots includes the adjacent private streets so that the net lot area range in size from a minimum of 9,013 square feet to a maximum of 13,003 square feet. Access to the project is from Starr Avenue to the south and Terrill Avenue to the northeast. The lots are served by 38 foot wide internal private streets with an attached sidewalk on 1 side of the street. The historical drainage flows traditionally crosses the property from south to north, and those flows are directed through an underground drainage channel contained within 2 common elements (Common Element B and Common Element C) where Common Element B includes a pedestrian path that will connect the northerly internal street to the southerly internal street. There is a connection of streets (Wakefield Avenue, Alloroestate Street, and Cantiga Avenue) surrounding 20 R-D zoned lots that are 1,645 feet in length.

Landscaping

The approved plans depict a 15 foot wide landscape area which includes a detached sidewalk shown along Starr Avenue. Internal to the development are additional street landscape buffers along corner side lots, and a landscaped common element along the west property line (Common Element A). The 2 common elements over the proposed underground drainage channel will be finished in rock mulch fill. The landscape easements and common lots will be maintained by Landscape Maintenance Corporation (Homeowners Association).

Elevations

The approved plans depict 4 different model homes with 4 separate elevations per plan, offered by the developer. Of these 4 plans, 3 are 2 stories while the remaining plan is a 3 story model. The 3 story model is within the height requirements of the R-1 zoning district (35 feet); however, the Board of County Commissioners prohibited 3 story models adjacent to the RNP and prohibited rooftop decks. The building materials consist of concrete tile roofs, stone veneer, and stucco finished walls with decorative pop-outs, wrought iron railing, and fenestration on windows and doors on all sides of the residential models.

Floor Plans

The approved plans consist of 4 floor models that include 2 and 3 car front loaded garages and range in size from 2,940 square feet to 4,217 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-18-1028:

Current Planning

- Resolution of Intent to complete in 3 years;
- Limited to R-1 zoning on the east and south portions of the parcel (east of the centerline of Twisty Ridge Street and south of the centerline of Wakefield Avenue as shown on plans) and R-D zoning for the remainder;

- Design review as a public hearing for future development.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Starr Avenue and all portions of the cul-de-sac that are necessary to provide a complete County approved turnaround on Placid Street;
- Fire Department approval of over-length streets;
- If required by the Regional Transportation Commission, provide a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on Starr Avenue at, or just west of, the Placid Street alignment;
- Prior to the approval of off-site improvement plans, the applicant shall provide a written, notarized letter from the owner of APN 177-33-801-012 approving the proposed access to his or her property;
- The applicant shall grant a perpetual access easement to the owner of APN 177-33-801-012 and his or her successors and assigns to allow unobstructed access to said parcel.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0070-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates that the developer intends to construct this project with the development to the north and requests 3 years to complete the project.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400060 (VS-18-1029)	First extension of time to vacate easements and right-of-way	Approved by BCC	June 2021
DA-20-900568	Development Agreement for a single family residential subdivision (Silverado Court)	Approved by BCC	January 2021
WS-20-0012	Increased street length and design review for a single family residential development	Approved by BCC	March 2020
TM-20-500002	61 single family residential lots	Approved by BCC	March 2020
NZC-18-1028	Reclassified the site to R-1 and R-D zoning for a single family residential development	Approved by BCC	April 2019
TM-18-500243	75 single family residential lots	Denied by BCC	April 2019
VS-18-1029	Vacated and abandoned easements and rights-of-way	Approved by BCC	April 2019
NZC-18-0055	Reclassified the site to R-2 zoning for a single family residential development	Withdrawn at BCC	June 2018
VS-18-0056	Vacated and abandoned easements and rights-of-way	Withdrawn at BCC	June 2018
TM-18-500009	Single family residential subdivision	Withdrawn at BCC	June 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1) & R-D	Single family residential & undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-2 & P-F	Schorr Elementary School, single family residential, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Ranch Estate Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-1)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have

substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff finds that the applicant has consistently pursued the completion of the development by having submitted the Traffic Study (PW21-18758) and Drainage Study (PW21-21-18815) that are currently in review, along with the approval of subsequent site design approvals, and Development Agreement. Staff can support the request for additional time to complete the project.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until April 17, 2025 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Starr Avenue improvement project;
- Compliance with previous conditions.

Fire Prevention Bureau

- No objection.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PN II, INC.

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input 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) NZC-18-1028 (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>ET-22-400075</u> DATE FILED: <u>5/24/2022</u></p> <p>PLANNER ASSIGNED: <u>LMN</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/2022</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>7/20/2022</u></p> <p>FEE: <u>\$ 300.00</u></p>
	PROPERTY OWNER	<p>NAME: <u>PN II, Inc.</u></p> <p>ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u></p> <p>TELEPHONE: <u>702-804-7554</u> CELL: _____</p> <p>E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u></p>
	APPLICANT	<p>NAME: <u>PN II, Inc.</u></p> <p>ADDRESS: <u>7255 S. Tenaya Way, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>Kendra.Saffle@PulteGroup.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Westwood Professional Services - Roxanne Leigh</u></p> <p>ADDRESS: <u>5725 W. Badura Ave., Suite 100</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-284-5300</u> CELL: _____</p> <p>E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-019

PROPERTY ADDRESS and/or CROSS STREETS: Starr/Fairfield

PROJECT DESCRIPTION: Residential Subdivision

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

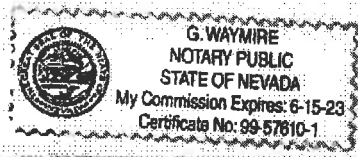
[Signature]
Property Owner (Signature)*

Quincy Edwards
Property Owner (Print)

STATE OF NV
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 2-22-22 (DATE)

By Quincy Edwards
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.

AWD1705.000

March 29, 2022

Clark County Planning
500 Grand Central Pkwy.
Las Vegas, NV 89155

**Subject: Silverado Court VIII
Justification Letter for Non-Conforming Zone Change Extension of Time (NZN-18-1028)
APN: 177-33-801-019**

Dear Staff:

Westwood Professional Services, Inc., on behalf of our client, PN II, Inc., respectfully submits this justification letter with an application for an Extension of Time for the above referenced Non-Conforming Zone Change (NZN). The community is generally located at the northwest corner of Starr Ave. and Fairfield Ave. The Assessor's Parcel Number for the proposed community is 177-33-801-019.

The NZN is to reclassify 15.0 acres from R-E (Rural Estates Residential Zone) to R-1 (Single Family Residential) Zone. The NZN included a Waiver of Development Standards to increase wall height and increase street length along with a design review for a proposed single family residential development. This NZN has a condition for the Resolution of Intent to be complete in 3 years from time of approval April 17, 2019.

Additional applications (NZN-21-0123, TM-21-500032, VS-21-0124) have been approved to the north of this project that will complement the approved tentative map and design review for the Silverado Court VIII development, and the developer intends to develop both projects together, if approved. We are submitting a 3-year extension of time to allow enough time for the Non-Conforming Zone Change Resolution of Intent to be completed.

Please accept and approve this request and application for a Vacation Extension of Time.

Westwood Professional Services



Corey Lieber, P.E.
Project Manager

07/20/22 BCC AGENDA SHEET

MINI-WAREHOUSE FACILITY
(TITLE 30)

WARM SPRINGS RD/LA CIENEGA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0288-NEVADA INVESTMENT ASSN GRP, LLC:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) increase building height; 3) not provide a sidewalk between parking spaces and a building; and 4) reduce throat depth.

DESIGN REVIEW for a mini-warehouse facility on 2.0 acres in a C-1 (Local Business) Zone.

Generally located on the northwest corner of Warm Springs Road and La Cienega Street within Enterprise. MN/jt/syp (For possible action)

RELATED INFORMATION:

APN:

177-04-801-037

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase perimeter wall height to 8 feet where 6 feet is the maximum per Section 30.64.020 (a 34% increase).
2. Increase building height to 49 feet where 35 feet is the maximum per Table 30.40-4 (a 40% increase).
3. Not provide a sidewalk between parking spaces and a building where a sidewalk is required per Section 30.60.050.
4. Reduce throat depth to 12 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 52% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2
- Project Type: Mini-warehouse facility
- Number of Stories: 3
- Building Height (feet): 49
- Square Feet: 130,096

- Parking Required/Provided: 5/10

Site Plan

The submitted plan depicts a mostly square 2 acre parcel located at the northwest corner of Warm Springs Road and La Cienega Street. The proposed mini-warehouse facility is centrally located on the parcel with parking located on the east and west sides of the building. There are 2 points of ingress to the facility 1 on each La Cienega Street and Warm Springs Road and one point of egress on La Cienega Street. There is 1 trash enclosure shown in the very northwest corner of the parcel.

Landscaping

Along Warm Springs Road is a minimum 15 foot wide landscape area which includes a raised planter adjacent to the building and an attached sidewalk adjacent to the street. Along La Cienega Street is a minimum 6 foot wide landscape area behind an attached sidewalk. Both of these landscape areas will include 36 inch box trees, shrubs, and groundcover. Also, along the north property line is a 4.5 foot wide planter with trees, shrubs, and groundcover. No landscaping is proposed along the west property line.

Elevations

The submitted elevation plans depict an up to 49 foot tall 3 story building with a flat roof behind parapet walls. Construction materials consist of pre-finished metal panels, a color EIFS system, exposed colored CMU block, a glazing system, and painted metal panels.

Floor Plans

The floor plans depict a typical mini-storage layout with storage spaces of varying sizes and corridors. The first floor has an office with restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they believe that the proposed project is consistent with existing facilities and uses in the surrounding area and the project is consistent with the C-1 zoning that is in place. In addition, it is stated that the project will not adversely affect the surrounding uses or facilities.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0397	Reclassified the site to M-D zoning with a Resolution of Intent for a hotel	Approved by BCC	August 2019
ZC-1078-06	Reclassified the site from R-E to C-1 zoning for a future commercial use	Approved by BCC	September 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Parking lot
South	Neighborhood Commercial	C-P	Office buildings
East	Business Employment	C-1	Undeveloped
West	Business Employment	C-1	Vehicle rental facility

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

Staff finds that a mini-warehouse use can be conducted in a manner that is harmonious and compatible with the surrounding existing land uses and those planned for future development. The parcel to the west is developed with a convenience store with gas pumps and a vehicle rental business. To the east is a vacant parcel that is planned for business employment development and to the north is a parking lot owned by the Department of Aviation. In addition, Warm Springs Road is a 100 foot wide roadway that commercial developments are appropriately developed on.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff has no issue with the increase in wall height as it would provide additional security for the facility; however, since Public Works is not supporting the waiver for throat depth and staff is not supporting the design review, staff cannot support this request.

Waiver of Development Standards #2

Staff has no issue with the increase in building height as a hotel was approved at 64 feet by way of ZC-19-0397 on the subject parcel; however, since Public Works is not supporting the waiver for throat depth and staff is not supporting the design review, staff cannot support this request.

Waiver of Development Standards #3

Staff has no issue with not providing a sidewalk between the building and the parking stalls interior to the site as it is only for 5 parking spaces; however, since Public Works is not supporting the waiver for throat depth and staff is not supporting the design review, staff cannot support this request.

Design Review

Staff finds that they cannot support the design review for this proposed development because of the pedestrian and vehicle conflicts on this site and within the proposed development. Based on the Public Works analysis for waiver #4 and the additional conflict that is created by the ingress only driveway from Warm Springs Road, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support the reduction in throat depth for the driveway on La Cienega Street. Vehicles will come to an immediate conflict on the site due to the 2 paths of travel. Additionally, as this area transitions to commercial and light industrial uses, La Cienega Street will see an increase in traffic, increasing the possibility of collisions in the right-of-way.

Department of Aviation

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

Staff Recommendation

Approval of the use permit; denial of waivers of development standards and design review.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for La Cienega Street;
- Vacate any unnecessary rights-of-way and/or easements;
- If the portion of the sidewalk on Warm Springs Road where the utility pole exists is not compliant with the Americans with Disabilities Act, construct a sidewalk on the north side of said pole and grant necessary easements.

Department of Aviation

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

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 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.

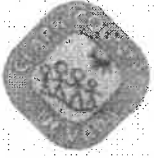
Clark County Water Reclamation District (CCWRD)

- 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 #0208-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: NEVADA INVESTMENT ASSN GRP, LLC
CONTACT: TODD MCBRAYER, BRESLIN BUILDERS, 4710 W. POST RD., SUITE 140,
LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

13A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0288</u> DATE FILED: <u>5/16/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>7/20/22</u> FEE: <u>\$2,000</u>
	PROPERTY OWNER NAME: <u>Nevada Investment Association Group, LLC</u> ADDRESS: <u>P.O. Box 15667</u> CITY: <u>Long Beach</u> STATE: <u>CA</u> ZIP: <u>90815</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Nevada Investment Association Group, LLC</u> ADDRESS: <u>P.O. Box 15667</u> CITY: <u>Long Beach</u> STATE: <u>CA</u> ZIP: <u>90815</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>Todd McBryer c/o Breslin Builders</u> ADDRESS: <u>4710 W. Post Rd., Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-798-3977</u> CELL: <u>702-234-5159</u> E-MAIL: <u>trncbrayer@breslinbuilders.com</u> REF CONTACT ID #: <u>133767</u>

ASSESSOR'S PARCEL NUMBER(S): 177-04-801-037

PROPERTY ADDRESS and/or CROSS STREETS: Northwest corner of Warm Springs Road and La Cienega Street

PROJECT DESCRIPTION: Three-story self-storage facility

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

[Signature]
Property Owner (Signature)*

SAMUEL SALIM ABUSHAUSHEH
Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC

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

BRESLIN BUILDERS

DESIGN-BUILD GENERAL CONTRACTOR

Updated May 9, 2022

Clark County Department of Comprehensive Planning
Jared Tasko, AICP, LEED Green Assoc., Principal Planner
500 South Grand Central Parkway
Las Vegas, Nevada 89155

Re: Airport Self Storage – Design Review Application

Dear Mr. Tasko,

We hereby respectfully request approval for a Design Review and a Special Use Permit for a new 130,425+- square foot self-storage facility (mini-warehouse per Table 30.44-1) to be constructed on the northwest corner of Warm Springs Road and La Cienega Street, APN: 177-04-801-037.

The facility will consist of three levels and will have approximately 717 self-storage units of various sizes for leasing to the public. A drive-through center isle has been provided for secure unit access. The footprint is approximately 42,269 SF, with a lot coverage of 50.64%, where 60% is allowable (maintaining the existing C-1 zoning). (Note: The prior ZC-19-0397 approval will be allowed to expire with approval of this land-use request including the ROI for the M-D zoning.)

The project will be finished with various materials, including exposed colored CMU block, integral color EIFS system, painted/powder coated metal wall panels, aluminum storefront glazing system, metal-clad awnings and roof features, and pre-finished metal wall panels. The structure of the building will be CMU block and metal-framed construction.

The parking exceeds the requirements of Title 30 (Table 30.60-1) for a self-storage facility (10 designated spaces are provided on the parcel where 5 are required (5 public and 5 within the secure area)). Half street improvements along La Cienega Street are being completed. A waiver is requested for the five stalls inside the secure fenced area to not conform with 30.60.050 (c)(15) as these stalls are not visible to the public streets and are used for loading between the vehicles to the storage units.

A new one-way driveway will be added along Warm Springs Road, providing secondary "ingress only" access on the west side of the facility and fire lane access. A fire lane has been provided around the west and north sides of the building. To provide better security within the interior of the property, a waiver is requested for an 8-foot-high CMU wall along the west and northern property lines (30.64.020 (1) (C)). A waiver is requested for access along La Cienega Street (local street). Enhanced paving will be provided at both driveways per 30.60.050 (c)(12)(D). A waiver to Uniform Standard Drawings 222.1 is also requested for a reduced throat depth at the La

4710 W. Post Rd., Suite 140 | Las Vegas, Nevada 89118
P | 702.798.3977 F | 702.798.3908 W | www.BreslinBuilders.com
License No. B-0018169

Cienega driveway. Given the flow of the site and the low traffic count due to the self-storage use, access to the gates and fast-acting overhead doors, and with La Cienega being a "local street", we feel this will not affect the traffic flows on and off the site, nor the surrounding area.

We find that the proposed project is consistent with the existing facilities and uses in the surrounding area and consistent with the current C-1 zoning in place. The proposed project will not adversely affect the surrounding uses or facilities (mainly retail and support uses for the adjacent airport car rental facility) and will bring needed self-storage to this area of the valley.

Should additional information be needed, or other questions arise, please feel free to contact me at (702) 798-3977, mobile at (702) 234-5159, or tmcbrayer@breslinbuilders.com.

Respectfully,

A handwritten signature in black ink, appearing to read 'T. McBrayer', written over a light grid background.

Todd McBrayer, LEED AP
Preconstruction | Design | PM

07/20/22 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE/RETAIL/
RESTAURANT/SECONDHAND SALES
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400074 (NZN-1563-04)-DIAMOND BLUE LP:

WAIVER OF CONDITION of a zone change requiring providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road on 1.7 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise (description on file). JJ/jad/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-101-024

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Convenience store/gasoline station/retail & restaurant/secondhand sales
- Building Height (feet): 24 (convenience store)/21 (canopy)/25 (retail & restaurant)/32 (secondhand sales)
- Square Feet: 3,541 (convenience store)/3,550 (retail & restaurant)/24,864 (secondhand sales)
- Parking Required/Provided: 237/254

History

This site is a portion of a proposed development which includes the property to the south (UC-22-0313). The original application (NZN-1563-04) was approved for a convenience store and car wash which was never developed. Today the applicant is requesting a new design to include a convenience store, gasoline station, and a retail/restaurant pad on the subject parcel, in conjunction with a secondhand sales building to the south.

Site Plan

The overall site is located on the southeast corner of Blue Diamond Road and Westwind Road. The proposed plans, which includes the property to the south, depict a retail center with 2 points of access from Westwind Road. A convenience store with covered gasoline pumps is located at the northwest corner of the site. The convenience store is oriented towards the center of the site, with parking along the east side of the building. The gasoline station is to the east of the convenience store, and a retail/restaurant pad site is located at the northeast corner of the site. Covered outside dining is located on the eastern portion of the building. Lastly, a Goodwill Donation Center is located to the south of the convenience store and gasoline pumps. Parking is located throughout the site and cross access is provided to the commercial site to the east.

Landscaping

The plans depict 10 feet of landscaping along the north property line and 15 feet of landscaping behind an attached sidewalk along Westwind Road on the west side of the site. Extensive landscaping is provided around the convenience store. Landscaping is also provided along the east and south property lines, including an intense landscape buffer per Figure 30.64-12 adjacent to the residential development. Parking lot landscaping is provided throughout the parking lot with the exception of few areas which exceed the requirement of landscaping fingers for every 6 parking spaces; however, the number of trees exceeds the minimum required per Code. Landscaping also surrounds the Goodwill Donation Center.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-1563-04:

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Entering into a 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;
- A design review as a public hearing;
- Providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road;
- A detached sidewalk along Blue Diamond Road unless prohibited by NDOT;
- Right-of-way dedication of 30 feet for Westwind Road;
- Additional right-of-way may be needed along Blue Diamond Road per Nevada Department of Transportation standards;
- Full off-site improvements;
- Off-sites along Blue Diamond Road per Nevada Department of Transportation standards;
- If the sidewalk is detached, dedication to be to back of curb and grant necessary pedestrian access, streetlight, and traffic control easements;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards;
- Drainage and traffic studies and compliance;

- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- All applicable standard conditions for this application type.

Applicant's Justification

The applicant indicates that this request is only for a portion of the condition along Blue Diamond Road. The applicant will install landscaping within the Blue Diamond Road right-of-way per Nevada Department of Transportation standards which together with the proposed landscaping on-site will exceed the 15 feet of landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1563-04	Reclassified to C-1 zoning for a convenience store and car wash	Approved by BCC	February 2005

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Blue Diamond Road & developing industrial park
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	H-2, R-E (RNP-I), & R-E	Commercial building & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-2 & R-2	Single family residential

Related Applications

Application Number	Request
UC-22-0313	A use permit for a convenience store, gasoline station, retail/restaurant pad site, and secondhand sales is a companion item on this agenda.
VS-22-0329	A vacation and abandonment for patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff finds with the addition of the proposed landscaping in the Blue Diamond Road right-of-way, the proposed landscaping exceeds the intent of the condition of approval. In addition, the proposed landscaping shown on-site per the plans submitted with UC-22-0313, although less in width, includes large trees, as well as medium trees. While staff can support the request for this particular project, staff is concerned that if the proposed project is not developed, a future project may not provide an appropriate landscape buffer to meet the intent of the original condition. Staff does not support UC-22-0313; therefore, staff cannot support this request.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

If approved:

- No comment.

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.

Clark County Water Reclamation District (CCWRD)

- No comment.

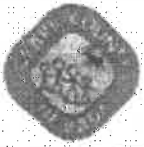
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ACTIVE COMMERCIAL, LLC

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



LAND USE APPLICATION

14A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

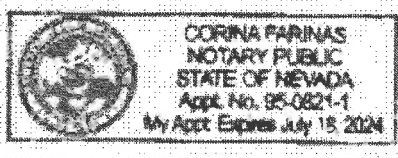
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> WARRANTY <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WARRANTY <input checked="" type="checkbox"/> WARRANTY <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) NZC-1563-04 (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ARX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-22-400074</u> DATE FILED: <u>5/25/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: _____ SCC MEETING DATE: <u>7/20/22</u> FEE: <u>700⁰⁰</u>
	PROPERTY OWNER NAME: <u>Diamond Blue LP</u> ADDRESS: <u>3075 Rosalyn Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Active Commercial</u> ADDRESS: <u>5725 S Eastern Avenue, Unit 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 868-7670</u> CELL: <u>(702) 512-5500</u> E-MAIL: <u>asf@activecore.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Bella Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>121488</u>	

ASSESSOR'S PARCEL NUMBER(S): 178-24-101-006 & 024
 PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road
 PROJECT DESCRIPTION: Shopping center consisting of Goodwill Donation Center and vehicle wash

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

Ronald Michie Ronald Michie
 Property Owner (Signature) Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON 12/1/2021 (DATE)
 BY RONALD MICHIE
 NOTARY PUBLIC: Corina Parinas



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

April 22, 2022

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

WC-22-400074

RE: REVISED – Waiver of Conditions – Vehicle Wash Facility and Goodwill Donation Center (APN: 175-24-101-006 & 024)

On behalf of Active Commercial, LLC, we are requesting a waiver of conditions of NZC-1563-04. The subject site is 3.8 acres, zoned C-1 and H-2, and located on the south side of Blue Diamond Road and the east side of Westwind Road. While the overall parcel is not symmetrical and is oddly shaped, generally the north half is zoned C-1 while the south half is zoned H-2. By way of background, the zoning for the northern portion of the site was approved with NZC-1563-04 in February 2005. The zone boundary amendment had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

Waiver of Conditions

The condition requested to be waived reads as follows: *providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road.* The request is intended to waive a portion of the condition and not the entire condition. The plan depicts a 10 foot wide landscape buffer along Blue Diamond Road. The site and landscape plan full comply with all other portions of the condition. This waiver of conditions is entirely appropriate for the following reasons: **1)** there will be landscaping in the right-of-way between our north property line and the leading edge of the off-site improvements along Blue Diamond Road which means the full width of the landscaping along Blue Diamond Road will exceed 15 feet; and **2)** we have continued the 15 feet of landscaping along Westwind Road to the southern parcel which does not have the imposed condition. Therefore, through the above referenced factors, the condition will no longer fulfill its intended purpose.

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

Thank you for the consideration.

Sincerely,

Dionian Smith

07/20/22 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0329-DIAMOND BLUE, LP:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue, and between Westwind Road and Lindell Road within Enterprise (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-101-006

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation of government patent easements measuring 33 feet in width along the north, east, and south property lines of the subject property. A patent easement measuring 3 feet in width, located along the west property line adjacent to Westwind Road will also be vacated. The patent easements are no longer needed for road and/or easement purposes. The vacation of the easements will facilitate the development of the project site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Undeveloped
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

Related Applications

Application Number	Request
UC-22-0313	A secondhand sales and a vehicle wash (automobile) facility is a companion item on this agenda.
WC-22-400074 (NZC-1563-04)	A waiver of conditions for providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Westwind Road and spandrel at the northwest corner of the site;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

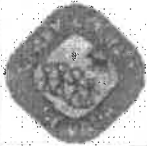
APPROVALS:

PROTESTS:

APPLICANT: ACTIVE COMMERCIAL, LLC

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

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

15A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S) OF WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0329</u>	DATE FILED: <u>5/24/22</u>
		PLANNER ASSIGNED: <u>AND</u>	TAB/CAC DATE: <u>6/29/22</u> <u>@ 6:00 P.M.</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PG MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>7/20/22 @ 9:00 AM</u>	
		FEE: <u>\$175.00</u>	

PROPERTY OWNER	NAME: <u>Diamond Blue, LP</u>
	ADDRESS: <u>3075 Rosanna Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

APPLICANT	NAME: <u>Active Commercial</u>
	ADDRESS: <u>6725 S. Eastern Avenue, Unit 2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 868-7870</u> CELL: <u>(702) 612-5500</u>
	E-MAIL: <u>asif@activecre.com</u> REF CONTACT ID #: <u>N/A</u>

CONTRIBUTOR	NAME: <u>Dionicio Gordillo, DG Consultants</u>
	ADDRESS: <u>204 Belle Isle Ct.</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u>
	TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u>
	E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>

ASSESSOR'S PARCEL NUMBER(S): 176-24-101-006

PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road

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

Ron Michalek ^{IT'S} General Partner
 Property Owner (Signature)

Ron Michalek
 Property Owner (Print) General Partner

STATE OF NEVADA
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON MARCH 14, 2022 (DATE)
 BY Ron Michalek
 NOTARY PUBLIC Andreas Borge Henderson

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

D G Consultants

March 15, 2022

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

VS-22-0329

RE: Vacation and Abandonment of Patent Easements – (APN: 176-24-101-006)

On behalf of Active Commercial, LLC, we are requesting a vacation and abandonment of patent easements for a proposed development consisting of a vehicle wash facility and Goodwill Donation Center. The patent easements are located on the southern parcel of the overall development site. The subject parcel is located on the east side of Westwind Road, approximately 200 feet south of Blue Diamond Road. This request is a companion to the pre-review request APR-22-100046.

The request is to vacate and abandon patent easements consisting of the following: 1) 3 foot wide easement along the west property line; and 2) 33 feet wide easements along the north, east, and south property lines. The easements are no longer needed for road and/or easements purposes. This request will facilitate the development of the subject site.

Thank you for your consideration.

Sincerely,

Dominic Smith

PLANNER
COPY

07/20/22 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE/RETAIL
/SECONDHAND SALES
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0313-DIAMOND BLUE LP:

USE PERMITS for the following: 1) convenience store; 2) reduced separation from a convenience store to a residential use; 3) gasoline station; 4) reduced separation from a gasoline station to a residential use; and 5) secondhand sales.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) shopping center on 3.9 acres in a C-1 (Local Business) Zone and H-2 (General Highway Frontage) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise. JJ/jad/syp (For possible action).

RELATED INFORMATION:

APN:

176-24-101-006; 176-24-101-024

USE PERMITS:

1. Allow a convenience store in a C-1 zone per Table 30.44-1.
2. Reduce the separation from a convenience store to a residential Zone to 106 feet where 200 feet is required per Table 30.44-1 (a 47% reduction).
3. Allow a gasoline station in a C-1 zone per Table 30.44-1.
4. Reduce the separation from a gasoline station to a residential use to 131 feet where 200 feet is required per Table 30.44-1 (a 35% reduction).
5. Allow secondhand sales in an H-2 zone per Table 30.44-1.

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the throat depth to 25 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 67% reduction).
- b. Reduce the approach distance between a driveway and an intersection to 100 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 33% reduction).

DESIGN REVIEWS:

1. Alternative parking lot landscaping.
2. A shopping center including a convenience store, gasoline station, retail/restaurant building, and secondhand sales business.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8990 Westwind Road
- Site Acreage: 3.9
- Project Type: Convenience store/gasoline station/retail & restaurant/secondhand sales
- Building Height (feet): 24 (convenience store)/21 (canopy)/25 (retail & restaurant)/32 (secondhand sales)
- Square Feet: 3,541 (convenience store)/3,550 (retail & restaurant)/24,864 (secondhand sales)
- Parking Required/Provided: 237/254

Site Plan

The site is located on the southeast corner of Blue Diamond Road and Westwind Road. The plans depict a retail center with 2 points of access from Westwind Road. Nevada Department of Transportation has indicated that access to Blue Diamond Road is not permitted. A convenience store with covered gasoline pumps is located at the northwest corner of the site. The convenience store (Pad B) is located 40 feet south of the northern property line, 15 feet from Westwind Road to the west and 106 feet from the residential development on the west side of Westwind Road. The convenience store is oriented towards the center of the site, with parking along the east side of the building. The gasoline station is to the east of the convenience store and set back 58 feet from the north property line and 131 feet from the residential use to the southeast. A retail/restaurant pad site (Pad C) is located at the northeast corner of the site, 10 feet from the northern property line. Covered outside dining is located on the eastern portion of the building. Lastly, a pad site with a secondhand sales building (Pad A), Goodwill Donation Center, is located to the south of the convenience store and gasoline pumps, 17 feet from the east property line which is adjacent to residential development and 75 feet from the south property line which is adjacent to residential development. A loading dock is on the west side of the building. Since the building is less than 35 feet high an intense landscape buffer is provided to meet an option 3 of Figure 30.56-10. Parking is located throughout the site and cross access is provided to the commercial site to the east.

Landscaping

The plans depict 10 feet of landscaping along the north property line and 15 feet of landscaping behind an attached sidewalk along Westwind Road on the west side of the site. Extensive landscaping is provided around the convenience store. Landscaping is also provided along the east and south property lines, including an intense landscape buffer per Figure 30.64-12 adjacent to the residential development. Parking lot landscaping is provided throughout the parking lot with the exception of few areas which exceed the requirement of landscaping fingers for every 6 parking spaces; however, the number of trees exceeds the minimum required per Code. Landscaping also surrounds the Goodwill Donation Center.

Elevations

Per the plans, the convenience store (Pad B) is 24 feet high and the retail/restaurant building (Pad C) is 25 feet high, both with a flat roof behind a varied parapet wall. The exterior finish of both buildings includes stucco walls painted with earth tones, with decorative metal accent bands. Aluminum storefront window and door systems are provided on the front elevations.

The gasoline canopy is 21 feet high with stucco covered columns.

The secondhand sales building (Goodwill Donation Center, Pad A) is a total of 32 feet to the top of the highest parapet wall with varied parapet walls 25 feet to 27 feet high. The color scheme is the same as the other buildings within the development with additional stone veneer accents. The loading dock contains a metal roll-up door on the west elevation and aluminum storefront windows/doors are located at the entrance on the northwest portion of the building.

Floor Plan

The convenience store and retail/restaurant building are 3,541 square feet and 3,550 square feet, respectively with an open floor plan for future tenant improvements. The Goodwill Donation Center is 24,864 square feet with a majority of the floor plan designated for a sales floor, but also includes a back of house storage area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the site plan depicts an effective layout of building, parking, circulation, cross access and shared parking, even with the odd shape of the property. The elevations of the buildings consist of multiple surface plane variations with architectural articulation on all sides of the buildings. The convenience store and gasoline station are neighborhood serving uses as intended by the zoning district and Master Plan. The convenience store is designed to be sensitive to the neighbors, oriented to the interior of the site with extensive landscaping surrounding the building. The convenience store is a buffer between the gasoline station and residential to the west. In addition, the gasoline station is separated from the residential to the southeast by parking, drive aisle, and intense landscaping. Regarding the Goodwill Donation Center, the retail portion is accessory to the secondhand sales use. The applicant further indicates the design of the driveways will result in minimal site conflicts that will result in no stacking of vehicles within the right-of-way. Lastly, enhanced landscaping is provided throughout the site to compensate for the alternative parking lot landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1889-03	Reclassified to C-1 zoning for a mini-warehouse on the southern parcel - expired	Approved by BCC	April 2004
ZC-1563-04	Reclassified to C-1 zoning for a convenience store and car wash on the northern parcel	Approved by BCC	February 2005

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Blue Diamond Road & industrial park
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	H-2, R-E (RNP I), & R-E	Commercial building & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-2 & R-2	Single family residential

Related Applications

Application Number	Request
WC-22-400074 (NZC-1563-04)	A waiver of conditions of a zone change requiring a 15 foot wide landscape strip along Blue Diamond Road and Westwind Road is a companion item on this agenda.
VS-22-0329	A vacation and abandonment for patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permits #1 & #2

A convenience store is allowed in a C-1 zone if it is appropriate and compatible with the surrounding area. Although the convenience store does not meet the required separation, the orientation of the building and extensive landscaping help to buffer the building from the residential development to the southwest, which is not directly across from the convenience store. The proposed northern driveway to this site is across from the most northern tip of the residential development and will not extend into the neighborhood. The cross access with the property to the east will reduce the traffic on Westwind Road. However, staff does not support the design review and cannot support these requests.

Use Permits #3 & #4

A minimum separation of 200 feet between gasoline stations and residential uses is necessary to help mitigate negative impacts from noise, odor, traffic and air quality. While staff does not typically support a reduction to the setback, the gasoline station is located to the northwest of the residential development and not directly across from the residential development. A drive aisle, parking and intense landscaping are located within the separation. However, staff does not support the design review and cannot support these requests.

Use Permit #5

The proposed secondhand sales use is located to the south of the convenience store and gasoline station. The parcel is zoned H-2, but master planned for low-intensity residential uses with a density of 5 dwelling units per acre. The H-2 zone is an antiquated zoning district which allows for both commercial and residential uses subject to approval of a special use permit. This parcel is not fronting along Blue Diamond Road as other properties commercially zoned; therefore, the expectation should not be for commercial development on this site. Unlike the C-1 zoned site to the north, the driveway to the southern portion of the site extends into the residential neighborhood. In addition, staff is concerned with the loading docks which face the residential development to the west. This use is too intense for this site which is surrounded by residential uses, including R-1 and R-E (RNP-I) zoned properties, on 3 sides. Staff does not support this request.

Waivers of Development Standards

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

Design Reviews

The applicant has provided extensive landscaping throughout the site; therefore, the alternative design meets the intent of the parking lot landscaping requirements. The building elevations are designed with architectural enhancements which are encouraged in the Master Plan and a finding of a design review. The parcel to the east will be developing with additional commercial uses and with the cross access between the subject parcel, the site will establish a commercial center appropriate for the Blue Diamond Road frontage. While staff supports the uses on the northern parcel, staff does not support the use on the southern parcel; therefore, staff does not support these requests.

Public Works - Development Review

Waiver of Development Standards #1a

Staff has no objection to the reduced throat depth for the southern driveway on Westwind Road. Two driveways on Westwind Road and a driveway on Lindell Road with cross access will help mitigate potential of conflicts in the right-of-way.

Waiver of Development Standards #1b

Staff can support the reduction in approach distance for the northern driveway on Westwind Road. Placing 2 driveways on Westwind Road will allow traffic to enter more quickly. In order to have 2 driveways, there is no way that the minimum standard can be met.

Staff Recommendation

Approval of waiver of development standards; denial of the use permits and design reviews.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Westwind Road and spandrel at the northwest corner of the site;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

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.

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 #0209-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACTIVE COMMERCIAL, LLC

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

16A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NCO) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WDS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANR) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> APPLICATION REVIEW (AR) <input type="checkbox"/> (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>WC-22-0312</u> DATE FILED: <u>5/25/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: <u>---</u> BCC MEETING DATE: <u>7/20/22</u> FEE: <u>\$1,875⁰⁰</u>
PROPERTY OWNER	NAME: <u>Diamond Blue, LP</u> ADDRESS: <u>3075 Rosanna Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>	
APPLICANT	NAME: <u>Active Commercial</u> ADDRESS: <u>8725 S. Eastern Avenue, Unit 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 888-7870</u> CELL: <u>(702) 612-5500</u> E-MAIL: <u>asf@activecre.com</u> REF CONTACT ID #: <u>N/A</u>	
CORRESPONDENT	NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 175-24-101-006 & 024

PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road

PROJECT DESCRIPTION: Shopping center consisting of Goodwill Donation Center and vehicle wash

I, We, the undersigned swear and say that I (we) (we are) the owner(s) of record on the Tax Rolls of the property involved in this application; or (am, are) otherwise qualified to make this application under Clark County Code; that the information on the attached legal description, all plans, and drawings whether hand-drawn, 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, in order to promote and to install any required signs on said property for the purpose of advising the public of the proposed application.

Ronald Michie Ronald Michie
 Property Owner (Signature) Property Owner (Print)

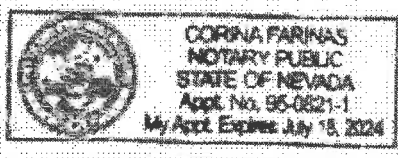
STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12/1/2021 (DATE)

BY RONALD MICHIE

NOTARY PUBLIC Colina Farinas



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

April 22, 2022

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

UC-22-0313

RE: REVISED - Special Use Permits, Waivers of Development Standards, and Design Reviews – Vehicle Wash Facility and Goodwill Donation Center (APN: 176-24-101-006 & 024)

On behalf of Active Commercial, LLC, we are requesting special use permits, waivers of development standards, design reviews, and waiver of conditions for a proposed vehicle wash facility and Goodwill Donation Center. The subject site is 3.8 acres, zoned C-1 and H-2, and located on the south side of Blue Diamond Road and the east side of Westwind Road. While the overall parcel is not symmetrical and is oddly shaped, generally the north half is zoned C-1 while the south half is zoned H-2. By way of background, the zoning for the northern portion of the site was approved with NZC-1563-04 in February 2005. The zone boundary amendment had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

The proposed project requires special use permits in a C-1 and H-2 zoning districts. The request is entirely consistent with the intent of the C-1 zoning district and Neighborhood Commercial (NC) planned land use designation and in compliance with several Goals and Policies contained within the Clark County Master Plan. The C-1 zoning district is intended to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets typically on a site less than 10 acres. The NC category lists primary land uses, in part, as a mix of retail, restaurants, offices, service commercial, and other professional services. Characteristics of the NC category are listed as providing opportunities for compact nodes of low-intensity retail, services, and offices that serve residents of the immediate neighborhoods and scale and intensity of uses should be mitigated where centers are adjacent to existing or planned neighborhoods to promote compatibility.

Special Use Permits

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

The first use permit is for a vehicle wash facility in a C-1 zoning district. The proposed facility is oriented towards Blue Diamond Road which is principal arterial and oriented away from any nearby residential uses. With a combination of enhanced landscaping and transitional space, the proposed use will not have any adverse impact on the immediate area. While a car wash bay faces Westwind Road, we have enhanced the 15 foot wide street landscaping to include additional evergreen trees which will completely obscure the bay. A vehicle (car) wash is entirely consistent with the C-1 zoning district and the NC land use category since the use primarily serves the immediate neighborhoods.

The second use permit is for second hand sales in an H-2 zoning district. The second hand sales consists of a Goodwill Donation Retail Center. While retail sales is a function of the store, retail is not the primary use and therefore is ancillary to the second hand sales and does not require a use permit in the H-2 zoning district. As with the car wash, this use is intended to primarily serve the immediate neighborhoods and will not adversely impact the immediate area.

For the two special use permit requests, the applicant has designed a facility on the site in a manner that not only buffers the use from the residential use but eliminates any potential impacts. The buildings are oriented so that they face away from the residential use. Other existing, site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed buildings are not immediately adjacent to residential uses but rather separated by a block wall at the south and east property lines with landscape buffering and a commercial drive aisle; 2) the proposed facility will include screening and buffering walls on the perimeter with enhanced landscaping; and 3) portions of the proposed buildings will also function as screening. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed project that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The first waiver of standards request is to reduce the set back between the proposed car wash and a residential use. The request is to reduce to 159 feet where 200 feet is the standard. As with the use permits, a combination of site, building design, and operational elements will mitigate any potential noise impacts. Additionally, Westwind Road also functions as transitional space from the residential use.

The second waiver of standards request is for alternative driveway geometrics for a reduced throat depth of 25 feet. The required throat depth per Uniform Standard Drawing 222.1 is 75 feet. The proposed throat depth is consistent with other driveway geometrics in the immediate area with no known adverse impacts. Farther east, there are existing commercial developments on non-arterial or collector streets with throat depths that are less than what we are providing. The proposed throat depth is on the egress side of the driveway and therefore will not have any adverse impact on vehicles that could queue in the right-of-way. The ingress sides of both driveways along Westwind Road are 75 feet. Finally, the affected driveway is on Westwind Road which is a local street with minimal traffic generation. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

The third waiver of standards request is for alternative driveway geometrics for an approach distance for the north driveway along Westwind Road. The required approach distance per Uniform Standard Drawing 222.1 is 150 feet and our site plan proposes 100 feet. The intent of the standard is to minimize any potential vehicular conflicts between vehicles turning north on Westwind Road and queuing of vehicles that are at the intersection of Westwind Road and Blue Diamond Road and turning east on Blue Diamond

Road. As with the throat depth waiver request, the proposed approach distance is consistent with other approach distances farther east between local streets and Blue Diamond Road with no known adverse impacts. Additionally, the affected driveway is on Westwind Road which is a local street with minimal traffic generation. Finally, the requested approach distance is from a possible future right-of-way line and not the current improved Blue Diamond Road. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

Design Reviews

The applicant is requesting a design review for the following: **1) site and building design as referenced per plans; and 2) alternative parking lot landscaping.**


The first design review with the submitted site plan depicts an effective layout of the buildings, parking areas, circulation, cross access and shared parking, and sensitivity to the nearby residential uses to the southwest and southeast. The elevations for the proposed buildings consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands, reveal lines, and other unique and modern materials and features. **The architectural detailing is provided on all sides consistent with the primary/front elevation.**

The second design review is for alternative parking lot landscaping per Figure 30.64-14. The majority of the site fully complies with all provisions of Figure 30.64-14. Under Option 1 of Figure 30.64-14, the maximum number of parking spaces between islands are 6 spaces with no 8 foot wide planting strip. Due to the asymmetry of the site, there are parking areas with more than 6 spaces between landscape islands. That is partially due to the arrangement of the parking areas to mitigate for the reduced driveway throat depths. The alternative that is provided is that the site is substantially enhanced with additional landscaping along Westwind Road and southern and eastern property line. Additionally, the parking areas are designed in smaller courts with several obscured by a building which will obscure the parking area from public view from a street.

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

Thank you for the consideration.

Sincerely,



SINGLE FAMILY RESIDENTIAL
(TITLE 30)

PYLE AVE/HAVEN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0321-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

ZONE CHANGE to reclassify 6.5 acres from an H-1 (Limited Resort and Apartment) Zone and an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) street intersection off-set; and 3) driveway geometrics.

DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) hammerhead street design; and 3) finished grade.

Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise (description on file). MN/sd/jo (For possible action).

RELATED INFORMATION:

APN:

177-28-201-017 through 177-28-201-019; 177-28-301-004; 177-28-301-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the retaining wall height to 6 feet (6 foot retaining wall and 6 foot screen wall) where 3 feet (3 feet retaining wall and 6 foot perimeter wall) is allowed per Section 30.64.050 (a 50% increase).
2. Reduce the street intersection off-set to 103 feet where 125 feet is required per Section 30.52.052 (a 18% reduction).
3. Allow for driveway off-set from back of curb return to 8 feet 5 inches where 12 feet is required per Uniform Standard Drawing (a 29% reduction).

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Allow a private street to terminate in a hammerhead design where a radius cul-de-sac per Uniform Standard Drawing 212.1 is preferred per Section 30.56.080.
3. Increase finished grade to 72 inches where 36 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 71, 80, 81, and 90 E. Pyle Avenue
- Site Acreage: 6.5
- Number of Lots/Units: 48
- Density (du/ac): 7.42
- Minimum/Maximum Lot Size (square feet): 3,343/5,904
- Number of stories: 2
- Height (feet): 25 to 28
- Project Type: Single family residential subdivision

Site Plans

The plans depict a proposed 48 lot single family residential subdivision and common lots on approximately 6.5 acres and is located on the west side of Haven Street, north and south of Pyle Avenue. Giles Street is located along the western perimeter of the subdivision. The overall density is 7.4 dwelling units per acre. Access is from Pyle Avenue for both the northern and southern sections of the subdivision. Thirty-one lots are located on the north side of Pyle Avenue and 17 lots are located on the south side. The lots are all laid out in an east to west and north to south orientation with 43 foot wide street and includes attached 4 foot wide sidewalk on 1 side of the street. Common lots are shown internally and externally along the perimeter of the property and along Pyle Avenue. Isotta Avenue is designed as a hammerhead instead of a cul-de-sac.

The increase grade will be for the whole site and the requested increase in wall height will be along the whole perimeter of the property. In addition, Lots 19, 32, and 48 that are adjacent to Pyle Avenue and requires the waiver for driveway off-set on residential streets that are less than 50 feet as measured from back of curb.

Landscaping

The plans depict landscaping along the perimeter with 6 foot landscape areas along Giles Street with an attached sidewalk and Pyle Avenue with detached sidewalks. The landscape plans show common lot areas within the subdivision and other landscape areas shown for Duesenberg Street ingress. There is a proposed 12,971 square feet of common lot shown on the outside of the subdivision along Pyle Avenue and is behind the detached sidewalk. No access is shown that will allow for those residents to access this area from within the subdivision.

Elevations

The plans depict 2 story single family residences that range in height from 25 feet to 28 feet. Each house will have a 2 car garage and a 20 foot driveway. The exterior of the proposed homes includes stucco finish, gable tile accents, concrete tile roof, garage roll-up doors, and pitched roof lines.

Floor Plans

The plans depict floor plans that range from 1,600 square feet to 2,413 square feet. Each home has bedrooms, kitchens, 2 or 3 car garage, great room, utility room, and study room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this zone change will provide a transition between the intense H-1 zoning to the west and the R-2 and R-E zone categories to the east. It is intended to allow for medium density single family homes which is compatible with the existing projects immediately east of the site. The proposed product type will provide a broader range of housing in the area which is the intent and purpose of R-3 zoning. In this instance and this area, a lower density R-3 zoned development is appropriate. The proposed lots exceed the 1,800 square foot minimum and provide more than the 120 square feet of open space per dwelling unit required for R-3 zoning per Title 30.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0789-06	Reclassified 2.5 acres from R-E to H-1 zoning and design review for a hotel	Approved by BCC	August 2006
ZC-0935-05	Reclassified from R-E to H-1 zoning and design review for a hotel	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
South	Entertainment Mixed-Use	H-1 & R-E	Undeveloped & single family residential
West	Entertainment Mixed-Use	H-1	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ae)	R-2	Single family residential

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

Related Applications

Application Number	Request
VS-22-0322	A vacation and abandonment of patent easements is a companion item on this agenda.
TM-22-500107	A tentative map for a 48 lot single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

Staff finds the request for a zone change to an R-3 zone is consistent and compatible with the existing and planned residential developments in this area. This project should be complementary and similar in scale and intensity to the surrounding land uses and the proposed zoning district will not create a strain on existing infrastructure and facilities.

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

Due to the change in elevation across the site, the retaining walls are necessary to provide for additional increased grade. Staff finds that the grade difference is significant in places that the need to increase the finished grade is warranted, along with the increased retaining wall height. Staff can support the increase in retaining wall height.

Design Review #1

Staff finds the architectural enhancements are provided on all sides of the proposed residences with reduced visual dominance of garages, varied rooflines, and/or architectural enhancements on all sides. However, the hammerhead street design for Isotta Avenue has the potential to reduce the functional circulation, which could impact the safety of residents and potentially restrict emergency vehicles in that area. In addition, the required open space element as shown along Pyle Avenue does not have internal access from the subdivision for the residents and is only accessed from the sidewalk along Pyle Avenue, thus limiting its beneficial aspect for the subdivision. The design of the subdivision lots and street layout are contingent upon approval of design review #2 and waiver of development standards #3, and as outlined in the report, which in part staff does not support.

Design Review #2

Title 30 restricts the use of the hammerhead design for the termination of streets with a radius cul-de-sac as the preferred design. As with previous requests, staff is concerned that once designed with the building placement and driveway locations, the functional circulation will be impacted with cars that may be parked on the street. Staff finds the applicant has not provided a sufficient justification to allow the hammerhead design; therefore, cannot support this request.

There are waivers of development standards related to this application for an increase in wall height, intersection off-set, and driveway off-set. The approval of the design review is contingent to approval of these waivers and design review for increased grade.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the request to reduce the street intersection offset between Jackie Glenn Street and Duesenberg Street. The proposed 48 lot subdivision, 31 lots north of and 17 lots south of Pyle Avenue, should see a low volume of traffic because of the limited number of lots.

Waiver of Development Standards #3

Staff finds that there is no justification to reduce the distance from the driveway to the curb return. The minimum required distances from driveways to curb returns is intended to provide a safe transition from public roads to private driveways, reducing the chance for accidents. As drivers on Pyle Avenue approach the intersection and begin to slow down, a vehicle exiting from these driveways will cause the driver on Pyle Avenue to stop or slow more abruptly to avoid a collision. There is sufficient room on the site to design lots that meet the minimum distance required by Uniform Standard Drawing 222. Therefore, staff cannot support this request.

Design Review #3

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

Staff Recommendation

Approval of the zone change, waivers of development standards #1 and #2, and design review #3; denial of waiver of development standards #3 and design reviews #1 and #2.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Pyle Avenue improvement project;
- Right-of-way dedication to include 30 feet for Giles Street, 35 feet to the back of curb for Pyle Avenue, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- Hammerhead at Isotta Avenue is not per the required Uniform Standard Drawing 212.1.S1.
- Applicant is advised that when installing streets using "L" type curbs, a minimum of 37 feet wide is required, back of curb to back of curb, and that if using rolled curbs, minimum 39 feet widths are required, from back of curb to back of curb.

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 #0078-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ANGELA PINLEY

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



LAND USE APPLICATION

17A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ZC-22-0321</u> DATE FILED: <u>5/23/22</u> PLANNER ASSIGNED: <u>SMD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9/29/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7/20/22</u> FEE: <u>\$ 2,350</u>
	PROPERTY OWNER NAME: <u>Roohani Khusrow Family Trust</u> ADDRESS: <u>9500 Hillwood Dr., Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Richmond American Homes of Nevada, Inc.</u> ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-617-8464</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@@westwoodps.com</u> REF CONTACT ID #: _____

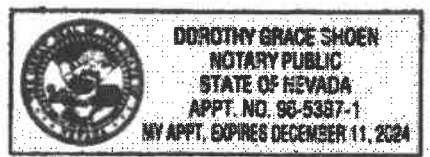
ASSESSOR'S PARCEL NUMBER(S): 177-28-201-017, -018, -019; 177-28-301-004, -005
 PROPERTY ADDRESS and/or CROSS STREETS: Pyle/Haven
 PROJECT DESCRIPTION: Residential Subdivision

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Roll's 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.


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

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 2/28/2022 (DATE)
 By: Khusrow Roohani - Trustee
 NOTARY PUBLIC: Dorothy Grace Shoen



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

RAH2202

May 18, 2022

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

20-22-0301

RE: Justification Letter for a Zone Change, Design Review, Tentative Map, and Waiver of Standards
48 lots; 6.47+/- acres; APN: 177-28-201-017, -018, & -019; 177-28-301-004, & -005

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, Richmond American Homes of Nevada, Inc respectfully submits this justification letter with an application for a zone change (ZC), Design Review (DR), Tentative Map (TM), and Waiver of Standards (WS) for the proposed community.

Project Description

The subject parcels, within the Enterprise Jurisdiction, are located at the northwest corner of the Haven Street and East Pyle Avenue intersection. The proposed residential subdivision is approximately 6.5 gross acres with 48 single family residential dwelling units, resulting in a density of 7.4 dwelling units per gross acre.

Design Review

Site Plan

The project is composed of 48 total lots. Forty-six lots are 40 feet wide and two are 35 feet wide. The depths vary from 87 feet to 125 feet deep. The lots are laid out in an east to west and north to south orientation with 31 lots north of Pyle Avenue and 17 south of Pyle Avenue.

The project is proposed to be constructed as one phase. The subdivision will have interior private streets that are 43 foot wide including an attached 4 foot sidewalk. There will be one 29 foot wide stub street with no sidewalk, no parking, and a hammerhead. The project will not be gated and will include one entrance for the lots north of Pyle Avenue and one entrance for the lots south of Pyle Avenue. The interior streets that terminate in stubs are a maximum of 150 foot long and serve a maximum of 6 houses. Perimeter public streets include Pyle Avenue which is a 70 foot right-of-way with 15 foot landscaping and detached sidewalk. Giles Street and Haven Street are both 60 foot rights-of-way with 6 feet landscaping and attached sidewalk. These public streets will include full offsite improvements including curb, gutter, and sidewalks.

Architecture

The planned architecture for the project includes three 30' wide homes and one 25' wide home. All plans have two stories. They range in size of livable area from 1,600 to 2,413 square feet. The homes range in height from ~25ft to ~28ft. Each house will have a two car garage and a 20-ft driveway. Proposed floor plans and elevations are included with the submittal package. The proposed development and building architecture will be designed with consideration of the existing surrounding communities to ensure there is minimal impact to existing neighborhoods.

Grade Difference

A maximum grade difference of 6 feet is being requested where 36 inches is allowed per section 30.32.040.a.9 of Title 30 due to existing contours, drainage patterns and sewer service issues. The site will be elevated to work with civil engineering constraints; the site will not be artificially elevated to enhance views.

Setbacks

The setbacks for the proposed project are as follows:

- Front (Living): 10 feet (for full building width)
- Front (Garage): 20 feet
- Side (Interior): 5 feet
- Side (Corner): 10 feet
- Rear (Living): 15 feet
- Rear (Patio): 3 feet
- Rear (Balcony): 12 feet

Tentative Map

The associated Tentative Map (TM) will establish the layout of the 48-residential lots, five (5) common lots, and the interior street network. The TM also includes street sections for the interior private streets and adjacent public roads, cross-sections showing preliminary grading across the site from north to south and east to west, and widths and locations of utility and drainage easements.

Zone Change

The subject development consists of five parcels within EM (Entertainment Mixed Use) planned land use. Parcels 177-28-201-017 and 177-28-301-004 are currently zoned H-1 (Limited Resort and Apartment) while parcels 177-28-201-018, 177-28-201-019, and 177-28-301-005 are currently zoned R-E (Rural Estates). All parcels will require a zone change to R-3 (Multi-Family Residential) which is in conformance with the EM land use.

This zone change to R-3 will provide a transition between the intense H-1 zoning to the west and the R-2 and RE zoning to the east. It is intended to allow for medium density single family homes which is compatible with the existing projects immediately east of the site. The proposed product type will provide a broader range of housing in the area which is the intent and purpose of R-3 zoning. While R-3 allows higher density than proposed, the code only prohibits the density from exceeding the maximum unit per acre. In this instance and this area, a lower density R-3 development is appropriate. The proposed lots exceed the 1,800 square foot minimum and provide more than the 120 square feet of open space per dwelling unit required for R-3 zoning per Title 30.

Waiver of Development Standards

A waiver of development standards application is being submitted to request the following:

Title 30 Section 30.64.050.4 – Site Landscape and Screening Standards

Standard: Retaining walls shall not exceed a maximum height of 3 feet

Requested Waiver: Increase perimeter retaining walls to 6 feet where needed.

Justification: The waiver is being requested due to site development constraints requiring an increase in perimeter retaining wall height from the allowable 3ft to a maximum of 6ft. The increased heights will fluctuate from a screen wall with no retaining wall to a screen wall with 6ft of retaining wall around the perimeter of the site as needed. The increased retaining wall heights allow the project to meet minimum interior street slopes and maintain drainage patterns. A decorative screen wall will be provided per Title 30 requirements.

Title 30 Section 30.52.052.a.1 – Street Configuration for Single Family Residential Subdivision

Standard: Street intersections shall be off-set a minimum of one hundred twenty-five (125) feet (measured from right-of-way line to right-of-way line), unless the streets are less than 50 feet, back of curb to back of curb.

Requested Waiver: Reduce intersection offset for project entries to 103.6 feet (measured from right-of-way line to right-of-way line)

Justification: The waiver is being requested due to site development constraints requiring project entry streets to be placed closer together than 125 feet. Both entry streets are less than the 50 feet specified in Title 30 standard listed above but want to ensure that the 103.6 feet offset will be acceptable.

The site was laid out to place the entry streets as far away as possible from each other while still meeting the street layout requirements such as stub street length and intersection offset from the 60' collector streets Giles Street and Haven Street.

The existing home and neighbors on parcel 177-28-301-006 were considered when laying out the southern portion of the site plan. To minimize the homes that will be adjacent to that property, we provided a stub that would only allow 2 lots (lots 43 and 44) against their property boundary.

Sewer main design was considered for the entry street for the north parcels. The existing sewer main is shallow and to provide service to lots 19 and 22, the sewer point of connection needs to be at as low of an invert elevation as possible. This would allow the site to be graded without raising it unnecessarily.

Title 30 Section 30.52.050.a.2.A – Modifications to Uniform Standard Drawing 222

Standard: Driveways that are on residential streets that are less than 50 feet, measured from back of curb to back of curb, may be located

adjacent to the curb return of an intersecting street that is less than 50 feet, measured from back of curb to back of curb.

Requested Waiver: Allow driveway offset from curb return to be 8.5 feet at an intersection when the adjacent street is over 50 feet, measured from back of curb to back of curb.

Justification: The waiver is being requested for lots 19, 32, and 48 which are all adjacent to Pyle Avenue which is an 80 foot right-of-way. There are limited site plan options especially for the south parcel of the project due to the minimal project site frontage on Pyle Avenue and site configuration options for an 80 foot right of way.

Lots 19, 32, and 48 would see limited traffic pass by their lot since the north entry provides access for 25 lots and the south entry provides access for 17 lots. The 8.5 foot offset from driveway to curb return would also allow sufficient room for both dry and utility laterals to service these lots with no issues.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Emily Hoy, PE
Assistant Project Manager

CC:
Angela Pinley, Richmond American Homes
Roxanne Leigh, Westwood

07/20/22 BCC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

PYLE AVE/FRIAS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0322-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Giles Street and Haven Street and a portion of a right-of-way being Pyle Avenue between Haven Street and Giles Street and a portion of right-of-way being Giles Street between Pyle Avenue and Jo Rae Avenue (alignment) within Enterprise (description on file). MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-28-201-017 through 177-28-201-019; 177-28-301-004; 177-28-301-005

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The plans depict proposed vacation and abandonment of both patent easements and right-of-way abandonment. The applicant is requesting these vacations as the patent easements are no longer needed for the development of the property, while the right-of-way will impact the overall design of the project.

APN 177-28-301-004, vacate and abandonment of an existing 33 foot wide government patent easements located along the east and south property lines; APN 177-28-301-005, vacate and abandonment of an existing 33 foot wide government patent easements located along the west and south property lines; APN 177-28-201-019, vacate and abandonment of an existing 33 foot wide government patent easements located along the northern property line; APN 177-28-201-018, vacate and abandonment of an existing 33 foot wide government patent easements located along the west and north property lines; and APN 177-28-201-017, vacate and abandonment of an existing 33 foot wide government patent easements located along the east and north property lines.

The applicant is requesting to vacate the existing patent easements as well as a 5 foot wide portion of right-of-way being a portion of Pyle Avenue along the southern and northern portions of the right-of-way and 5 foot right-of-way being Giles Street along the western property line.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0789-06	Reclassified 2.5 acres from R-E to H-1 zoning and design review for a hotel	Approved by BCC	August 2006
ZC-0935-05	Reclassified from R-E to H-1 zoning and design review for a hotel	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
West & South	Entertainment Mixed-Use	H-1	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
ZC-22-0321	A zone change to reclassify from H-1 and R-E zone to R-3 zone is a companion item on this agenda.
TM-22-500107	A tentative map for a 48 lot single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Giles Street, 35 feet to the back of curb for Pyle Avenue, and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Pyle Avenue Improvement Project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANGELA PINLEY

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

18A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0322</u>	DATE FILED: <u>5/23/22</u>
		PLANNER ASSIGNED: <u>SWD</u>	TAB/CAC DATE: <u>6/29/22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u> </u>	
		BCC MEETING DATE: <u>7/20/22</u>	
		FEE: <u>9875</u>	

PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust</u>		
	ADDRESS: <u>9500 Hillwood Dr., Suite 201</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89134</u>
	TELEPHONE: <u> </u>	CELL: <u> </u>	
	E-MAIL: <u> </u>		

APPLICANT	NAME: <u>Richmond American Homes of Nevada, Inc.</u>		
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89139</u>
	TELEPHONE: <u>702-617-8464</u>	CELL: <u> </u>	
	E-MAIL: <u>angela.pinley@mdch.com</u>	REF CONTACT ID #: <u> </u>	

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>		
	ADDRESS: <u>5725 W. Badura Ave., Suite 100</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u>	CELL: <u> </u>	
	E-MAIL: <u>lvproc@westwoodps.com</u>	REF CONTACT ID #: <u> </u>	

ASSESSOR'S PARCEL NUMBER(S): 177-28-201-017, -018, -019; 177-28-301-004, -005


PROPERTY ADDRESS and/or CROSS STREETS: Pyle/Haven

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

[Handwritten Signature]

KHUSROW ROOHANI

Property Owner (Signature)
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 2/28/2022 (DATE)
 By Khusrow Roohani, Mustafa
 NOTARY PUBLIC: Dorothy Grace Shoen

Property Owner (Print)

 DOROTHY GRACE SHOEN
 NOTARY PUBLIC
 STATE OF NEVADA
 APPT. NO. 96-5387-1
 MY APPT. EXPIRES DECEMBER 11, 2024

*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.

RAH2202

April 20th, 2022

VS-22-0300

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

**RE: Justification Letter in Support of Multiple Vacations for Pyle Haven II Project
48 lots; 6.5+/- acres; APNs: 177-28-201-017, -018, -019; 177-28-301-004, -005**

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, Richmond American Homes respectfully submits this justification letter in support of Multiple Vacations (VS). The subject parcels, within the Enterprise Jurisdiction, are located at the northwest corner of the Haven Street and East Pyle Avenue intersection. The proposed residential subdivision is approximately 6.5 gross acres with 48 single family residential dwelling units.

Vacation of Patent Easements and Right-of-Way

This application proposes to vacate multiple patent easements and portions of right-of-way along Pyle Avenue that conflict with the proposed site. The patent easements are no longer needed to provide a reservation for public roads or utilities.

The following easements will be vacated:


- Patent easements 229:185817, 385:310869, 169:137947, and 378:305268
- Right-of-way that was previously dedicated for the Pyle Avenue alignment per recorded document numbers 0049:0038988, 0760:0719162, 0008840843881, and 0533:0492740 across the frontage of part of the proposed site

An exhibit has been provided showing the proposed vacations along with supporting legal descriptions and exhibits.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Emily Hoy, PE
Assistant Project Manager

CC: Angela Pinley, Richmond American Homes
Roxanne Leigh, Westwood

PLYE HAVEN II
(TITLE 30)

PLYE AVE/HAVEN ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-22-500107-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

TENTATIVE MAP consisting of 48 single family residential lots and common lots on 6.5 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise. MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

177-28-201-017 through 177-28-201-019; 177-28-301-004; 177-28-301-005

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 71, 80, 81, and 90 E. Pyle Avenue
- Site Acreage: 6.5
- Number of Lots/Units: 48
- Density (du/ac): 7.42
- Minimum/Maximum Lot Size (square feet): 3,343/5,904
- Project Type: Single family residential subdivision

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0789-06	Reclassified 2.5 acres from R-E to H-1 zoning and design review for a hotel	Approved by BCC	August 2006
ZC-0935-05	Reclassified from R-E to H-1 zoning and design review for a hotel	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
West & South	Entertainment Mixed-Use	H-1	Undeveloped

Surrounding Land Use

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

Related Applications

Application Number	Request
ZC-22-0321	A zone change from H-1 and R-E zone to R-3 zone is a companion item on this agenda.
VS-22-0322	A vacation and abandonment of patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

This request meets the tentative map requirements as outlined in Title 30. However, the tentative map approval is contingent upon approval waivers of development standards and the design reviews.

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, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;

- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Giles Street, 35 feet to the back of curb for Pyle Avenue, and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Pyle Avenue improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

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 #0078-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANGELA PINLEY

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



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

19A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500107</u>	DATE FILED: <u>5/23/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>SWD</u>	TAB/CAC DATE: <u>6/29/22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u> </u>	
		BCC MEETING DATE: <u>7/20/22</u>	
		FEE: <u>9 750</u>	

PROPERTY OWNER	NAME: <u>Roohani Khusrow Family Trust</u>		
	ADDRESS: <u>9500 Hillwood Dr., Suite 201</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89134</u>
	TELEPHONE: <u> </u>	CELL: <u> </u>	
	E-MAIL: <u> </u>		

APPLICANT	NAME: <u>Richmond American Homes of Nevada, Inc.</u>		
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89139</u>
	TELEPHONE: <u>702-617-8464</u>	CELL: <u> </u>	
	E-MAIL: <u>angela.pinley@mdch.com</u>	REF CONTACT ID #: <u> </u>	

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>		
	ADDRESS: <u>5725 W. Badura Ave., Suite 100</u>		
	CITY: <u>Las Vegas</u>	STATE: <u>NV</u>	ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u>	CELL: <u> </u>	
	E-MAIL: <u>lvproc@@westwoodps.com</u>	REF CONTACT ID #: <u>132024</u>	

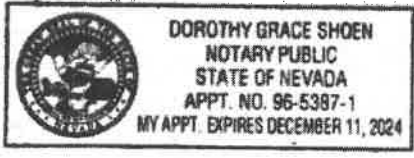
ASSESSOR'S PARCEL NUMBER(S): 177-28-201-017, -018, -019; 177-28-301-004, -005

PROPERTY ADDRESS and/or CROSS STREETS: Pyle / Haven

TENTATIVE MAP NAME: Pyle Haven II

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.

<i>[Signature]</i>	<u>KHUSROW ROOHANI</u>
Property Owner (Signature)*	Property Owner (Print)
STATE OF <u>Nevada</u>	
COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>2/28/2022</u> (DATE)	
By <u>Roohani Khusrow - Trustee</u>	
NOTARY PUBLIC: <u>Dorothy Grace Shoen</u>	



*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.

