



# ENTERPRISE TOWN ADVISORY BOARD

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

July 27, 2022  
6:00pm

## AGENDA

**Note:**

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

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

Barris Kaiser – Vice Chair  
Joseph Throneberry

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

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

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

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

- III. Approval of Minutes for July 13, 2022. (For possible action)
- IV. Approval of the Agenda for July 27, 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. **DR-22-0383-CHIPOTLE MEXICAN GRILL INC:**  
**DESIGN REVIEW** for a drive-thru addition in conjunction with an existing restaurant on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, approximately 200 feet south of Warm Springs Road within Enterprise. MN/hw/ja (For possible action) **08/02/22 PC**
- 2. **TM-22-500124-BELTWAY BUSINESS PARK LLC & SWITCH COMM GROUP LLC-LEASE:**  
**TENTATIVE MAP** consisting of 1 commercial lot on approximately 48.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the southwest corner of Badura Avenue and Decatur Boulevard within Enterprise. MN/sd/ja (For possible action) **08/02/22 PC**
- 3. **ET-22-400085 (VS-20-0081)-KULAR GULZAR SINGH:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** an easement of interest to Clark County located between Blue Diamond Road and Agate Avenue (alignment) and between Rainbow Boulevard and Inspiration Drive and a portion of right-of-way being Rainbow Boulevard located between Blue Diamond Road and Agate Avenue (alignment) and Agate Avenue (alignment) between Rainbow Boulevard and Inspiration Drive within Enterprise (description on file). JJ/jud/tk (For possible action) **08/16/22 PC**
- 4. **ET-22-400086 (WS-20-0080)-KULAR GULZAR SINGH:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for alternative driveway geometrics.  
**DESIGN REVIEW** for a convenience store with gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with a drive-thru on 2.2 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/jud/tk (For possible action) **08/16/22 PC**
- 5. **ET-22-400087 (VS-19-0941)-HIGHLAND PROPERTY MANAGEMENT, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Jones Boulevard and Bronco Street (alignment), and between Torino Avenue and Ford Avenue within Enterprise (description on file). JJ/sr/tk (For possible action) **08/16/22 PC**

6. **NZC-22-0381-ROOHANI KHUSROW FAMILY TRUST:**  
**ZONE CHANGE** to reclassify 16.8 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; 2) reduce open space; and 3) street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) single family residential development; and 2) finished grade. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jo (For possible action) **08/16/22 PC**
  
7. **VS-22-0382-ROOHANI KHUSROW FAMILY TRUST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Arville Street and Hinson Street, and between Richmar Avenue and Silverado Ranch Boulevard; and a portion of a right-of-way being Arville Street located between Richmar Avenue and Silverado Ranch Boulevard; and a portion of right-of-way being Silverado Ranch Boulevard located between Arville Street and Hinson Street within Enterprise (description on file). JJ/md/jo (For possible action) **08/16/22 PC**
  
8. **TM-22-500129-ROOHANI KHUSROW FAMILY TRUST:**  
**TENTATIVE MAP** consisting of 160 residential lots and common lots on 16.8 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise. JJ/md/jo (For possible action) **08/16/22 PC**
  
9. **UC-22-0369-SAH FAMILY TRUST & HESTER-HARPER PATRICE A. ET AL:**  
**USE PERMIT** to reduce the rear setback of a proposed patio cover in conjunction with a single family residence on 0.2 acres in an R-3 (Multiple Family Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the west side of Zagarolo Lane, 68 feet north of Fonseca Drive, and northeast of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/16/22 PC**
  
10. **UC-22-0371-SDMIBD, LLC:**  
**USE PERMITS** for the following: 1) restaurant; and 2) retail use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; and 2) reduce throat depth.  
**DESIGN REVIEWS** for the following: 1) lighting; 2) signage; and 3) proposed commercial building in conjunction with an existing commercial complex on 2.7 acres in an H-2 (General Highway Frontage) Zone. Generally located on the south side of Blue Diamond Road and the west side of Lindell Road within Enterprise. JJ/jor/tk (For possible action) **08/16/22 PC**
  
11. **ET-22-400088 (VS-20-0090)-YORK RANCH, LLC:**  
**FIRST EXTENSION OF TIME TO VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Dean Martin Drive and I-15; a portion of a right-of-way being Dean Martin Drive located between Wigwam Avenue and Ford Avenue; and a portion of right-of-way being Wigwam Avenue located between Dean Martin Drive and I-15 within Enterprise (description on file). JJ/sr/tk (For possible action) **08/17/22 BCC**

12. **UC-22-0370-SOUTHERN HIGHLANDS GOLF CLUB:**  
**USE PERMIT** to allow modified development standards.  
**WAIVER** to allow a modified street section standard in conjunction with a proposed 5 lot single family residential development on a portion of 155.0 acres in an R-2 (Medium Density Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the north side of Robert Trent Jones Lane, 780 feet west of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/17/22 BCC**
  
13. **TM-22-500121-SOUTHERN HIGHLANDS GOLF CLUB:**  
**TENTATIVE MAP** consisting of 6 lots on 155.0 acres in an R-2 (Medium Density Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the north side of Robert Trent Jones Lane, 780 feet west of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/17/22 BCC**
  
14. **UC-22-0377-KETHER, LLC:**  
**USE PERMITS** for the following: **1)** reduce the separation of a proposed convenience store; **2)** reduce the setback of a proposed vehicle wash; and **3)** reduce the setback of a proposed gasoline station.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce height setback ratio; **2)** driveway geometrics; **3)** reduce throat depth; **4)** reduce approach distance; **5)** reduce departure distance; and **6)** allow non-standard improvements within the right-of-way.  
**DESIGN REVIEW** for a shopping center on 3.5 acres in a C-2 (General Commercial) Zone in the Mountains Edge Master Planned Community. Generally located on the south side of Cactus Avenue and the west side of Rainbow Boulevard within Enterprise. JJ/jor/ja (For possible action) **08/17/22 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: August 10, 2022.

X. Adjournment.

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

Windmill Library – 7060 W. Windmill Lane

<https://notice.nv.gov>



# Enterprise Town Advisory Board

July 13, 2022

## MINUTES

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

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

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

Rob Kaminski, 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.

- The Chair commented: An email concerning airport land sales and R-3 housing has been circulated. Those items are not on tonight's agenda. Any comments on those items should be held to the second Public Comment period at the end of the meeting. The board cannot discuss or taken any action on those public comments.

### III. Approval of Minutes for June 29, 2022 (For possible action)

The following corrections were made to the distributed minutes:

- II First Public Comment – A resident spoke in opposition to items 17-19 indicating she may not be able to stay long enough to hear the item.
- Planning Item #4 – Only the first added bullet should be included (Install detached sidewalk along Polaris Ave). The other two bullet points were part of the motion for item #2 but were not added to the tentative map item.
- Planning Item #13 – There is no action noted for the Design Review. After the portions of the motion regarding the waivers, it should read: APPROVE: Design Review
- VII Second Public Comment – The owner of a parcel on Las Vegas Blvd. near Pyle indicated he is looking to do a 4-story multifamily project in the future.

Motion by David Chestnut

Action: **APPROVE** Minutes as amended for June 29, 2022.

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

IV. Approval of Agenda for July 13, 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. WC-22-400074 (NZN-1563-04)-DIAMOND BLUE LP:
2. VS-22-0329-DIAMOND BLUE, LP:
3. UC-22-0313-DIAMOND BLUE LP:
  
7. WC-22-400084 (ZC-1198-07)-CHELSEI HOLDING, LLC:
8. UC-22-0361-CHELSEI HOLDING, LLC:
  
9. VS-22-0336-NEW WEST RESIDENTIAL 1, LLC:
10. WS-22-0335-NEW WEST RESIDENTIAL 1, LLC:

Items 1, 2 and 3 will be heard by call of the chair.

V. Informational Items

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

- Commissioner Michael Naft:

**Coffee & Conversation**

Saturday, July 16, 2022

9 a.m. until 10 a.m.

Squeeze In

8876 S Eastern Ave. #100

Las Vegas, NV 89123

[DistrictA@ClarkCountyNV.gov](mailto:DistrictA@ClarkCountyNV.gov) | [www.ClarkCountyNV.gov](http://www.ClarkCountyNV.gov) | (702) 455-3535

Twitter: @MichaelNaft Facebook: @MichaelNaftLV

VI. Planning & Zoning

1. **WC-22-400074 (NZC-1563-04)-DIAMOND BLUE LP:**  
**WAIVER OF CONDITIONS** of a zone change that requires 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**

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

2. **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**

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

3. **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 an 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**

Motion by David Chestnut  
Action: **APPROVE:** Use Permits #s 1, 2, 3, 4.  
**DENY:** Use Permit # 5  
**APPROVE:** Waiver of Development Standards  
**APPROVE:** Design Reviews #1;  
**APPROVE:** Design review #2 to read Shopping Center for the C-1 zone only.  
**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.
- The gas canopy to be the same neutral tone as the buildings.

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

4. **UC-22-0312-DIAMOND WINDMILL, LLC:**  
**USE PERMIT** to increase the maximum combined area of all manager's units.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)**

reduce landscaping; and 3) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) office complex with a non-residential design; 2) balconies and clear windows above the first story; and 3) lighting on 1.0 acre in a C-P (Office and Professional) Zone. Generally located on the southwest corner of Windmill Lane and Gilespe Street within Enterprise. MN/jt/jo (For possible action) **08/02/22 PC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning Conditions:

- All pole and wall mounted lighting to be fully shielded.
- The west elevation exits to be emergency use only.

Per staff if approved conditions

Motion **PASSED** (4-1) / Behm- Ney

5. **UC-22-0357-SOUTHWEST MARKETPLACE STATION LLC:**

**USE PERMIT** to reduce the setback for an existing communication tower to a residential development.

**DESIGN REVIEWS** for the following: 1) increase height of an existing communication tower; and 2) modifications to an existing communication tower and associated equipment within an existing shopping center on a portion of 16.2 acres in a C-2 (General Commercial) Zone. Generally located on the northeast corner of Rainbow Boulevard and Windmill Lane within Enterprise. MN/md/tk (For possible action) **08/02/22 PC**

Motion by Joseph Throneberry

Action: **APPROVE**

**ADD** Current Planning Condition:

- Backup generator testing to be done only on weekdays between county day light hours.

Per staff conditions

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

6. **WS-22-0342-JM LEASING, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for setbacks in conjunction with a single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/lm/syp (For possible action) **08/02/22 PC**

Motion by Joseph Throneberry

Action: **DENY**

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

7. **WC-22-400084 (ZC-1198-07)-CHELSEI HOLDING, LLC:**

**WAIVER OF CONDITIONS** of a zone change for a right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action) **08/03/22 BCC**

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions

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

8. **UC-22-0361-CHELSEI HOLDING, LLC:**

**USE PERMIT** for a multiple family development



**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced parking; 2) increase building height; 3) non-standard improvements in the right-of-way; and 4) throat depth. **DESIGN REVIEWS** for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action) **08/03/22 BCC**

Motion by Barris Kaiser

Action: **APPROVE**: Use Permit:

**DENY**: Waiver of Development Standards # 1

**APPROVE**: Waiver of Development Standards #s 2, 3 and 4.

**DENY**: Design Reviews #s 1 and 2.

**APPROVE**: Design Reviews # 3.

**ADD** Current Planning Condition:

- Design review as a public hearing for lighting and signage.

Per staff if approved conditions.

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

9. **VS-22-0336-NEW WEST RESIDENTIAL 1, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Placid Street and Fairfield Avenue, and between Robindale Road and Maulding Avenue within Enterprise (description on file). MN/rk/syp (For possible action) **08/03/22 BCC**

Motion by Tanya Behm

Action: **APPROVE** per staff conditions.

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

10. **WS-22-0335-NEW WEST RESIDENTIAL 1, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce net lot area for residential lots; and 2) increase wall height.

**DESIGN REVIEW** for finished grade in conjunction with a single family residential subdivision on 2.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Placid Street and the north side of Robindale Road within Enterprise. MN/rk/syp (For possible action) **08/03/22 BCC**

Motion by Tanya Behm

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

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

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.

- Neighbor requested more information on application number VS-22-0336 and WS-22-0335.

IX. Next Meeting Date

The next regular meeting will be July 27, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut

Action: **ADJOURN** meeting at 8:28 p.m.

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

08/02/22 PC AGENDA SHEET

DRIVE-THRU  
(TITLE 30)

LAS VEGAS BLVD S/WARM SPRINGS RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-22-0383-CHIPOTLE MEXICAN GRILL INC:**

**DESIGN REVIEW** for a drive-thru addition in conjunction with an existing restaurant on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the east side of Las Vegas Boulevard South, approximately 200 feet south of Warm Springs Road within Enterprise. MN/hw/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-09-111-005

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 7370 Las Vegas Boulevard S.
- Site Acreage: 0.7
- Project Type: Drive-thru
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 3,939
- Parking Required/Provided: 142/144

**Site Plans**

The plans depict an existing restaurant pad site within a shopping center (Las Vegas South Premium Outlets) near the southeast corner of Las Vegas Boulevard South and Warm Springs Road. The existing restaurant building is located near the center of the subject site and currently encompasses 3,155 square feet with a 677 square foot covered patio area on the eastern portion of the building. The plans further depict a 104 square foot building expansion on the north side of the building that will be used to service the new drive-thru. The site has access to Las Vegas Boulevard South through a 40 foot shared driveway that continues east-west through the site as a 24 foot drive aisle that provides cross-access between Las Vegas Boulevard South and the adjacent shopping center to the east of the site. The site also has access to the other parcels to the

south via two, 24 foot drive aisles that run along the east and west sides of the restaurant building.

The proposed drive-thru begins 79 feet from the rear property line and 4 feet from the point of access from the adjacent parcel to the south. The drive-thru then continues north along the east side of the existing building for 72 feet, where 8 existing parking spaces are currently located. The drive-thru then passes along the north side of the building 50 feet before it empties into the existing cross-access drive aisle and into the Las Vegas Boulevard South driveway. The plans depict the drive-thru as a 12 foot driving lane through its entirety, and will contain two 9 foot wide pick-up spots near the exit of the drive-thru lane for vehicles with an extended wait. The drive-thru will be contained using white pavement striping and directional arrows. Along the eastside of the building, the striping will be approximately 9 feet wide and will maintain the existing drive aisle at 24 feet wide and is bidirectional. Along the north side of the building, the single line striping will divide the existing 24 foot cross-access drive aisle into two, 12 foot drive aisles, 1 for a one-way west flowing through traffic lane and the 12 foot drive-thru lane. The plans also depict additional pavement striping and directional queues that will act to direct traffic coming off Las Vegas Boulevard South away from the one-way through traffic drive aisle and drive-thru lane. The plans show enough stacking in the drive-thru lane for 7 cars and 2 temporary parking spaces for waiting vehicles.

#### Landscaping

Landscaping is not a part of this request.

#### Elevations

The elevations depict the existing restaurant as 20 feet in height to the existing parapet with a brick and stucco façade. The west elevation features storefront doors and windows, while the eastern façade features a patio with a fabric cover and metal access barrier. The addition to the existing building that will service the drive-thru is shown on the north elevation with aluminum plank siding. The addition will include a drive-thru window covered by an aluminum canopy on the north elevation and a glass service door facing west. The existing and proposed facades are all earth tone colors.

#### Floor Plans

The floor plans depict a 3,155 square foot existing restaurant space that include areas for dining, cooking and kitchen space, restrooms, storage areas, and office spaces. The dining room has a capacity of 71 people. The plans also depict a 677 square foot dining patio with a capacity of 34 people. The addition is depicted as 107 square feet and provides additional cooler, pick-up preparation, and drive-thru service spaces.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is proposing a drive-thru lane addition to an existing Chipotle restaurant that will also include an addition to the existing building to accommodate the new drive-thru. The drive-thru addition will be located along the eastern and northern portions of the building and will take

up 8 existing parking spots and make use of an existing drive aisle along the northern side of the building. The applicant indicates that the drive-thru will only be for pick-up and no menu boards or voice boxes will be utilized as food will have been pre-ordered and pre-purchased. The applicant additionally states that the use of the existing cross-access drive aisle will not be an issue, as they will provide proper signage and pavement directional stripping to properly direct motorists around the site. The loss of 8 parking spots will also not be an issue as there is sufficient parking both within the site and in the greater shopping center. Finally, the applicant indicates that a back-up of queuing patrons will not be an issue as sufficient stacking has been provided and the nature of the drive-thru will make passing through efficient.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0468-03 (ET-0132-07)	Second extension of time for indoor and outdoor on-premises consumption of alcohol in conjunction with a restaurant	Approved by PC	July 2007
UC-0468-03 (ET-0132-04)	First extension of time for indoor and outdoor on-premises consumption of alcohol in conjunction with a restaurant	Approved by PC	June 2004
UC-0468-03	Indoor and outdoor on-premises consumption of alcohol in conjunction with a restaurant	Approved by PC	May 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Gas Station, restaurant, & c-store
South	Entertainment Mixed-Use	H-1	Restaurant & retail
East	Entertainment Mixed-Use	H-1	Commercial shopping center
West	Entertainment Mixed-Use	H-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

The location and design of the drive-thru, as proposed, present several issues for the subject site. In particular, the location of the drive-thru within the northern cross-access drive aisle presents a major concern for traffic circulation on the site. This drive aisle, at the moment, is a main point of access to the parcel and the adjacent shopping center from Las Vegas Boulevard South. The constriction of this drive aisle to 12 feet, and to one direction against incoming traffic, would greatly impact traffic flows into the adjacent shopping center and create possible points of conflict for traffic on the parcel. The exit of the drive-thru and its location at the end of the through drive aisle also presents some concerns for conflict between the west flowing traffic coming onto the site from the shopping center, those exiting the drive-thru, and the traffic coming off of Las Vegas Boulevard South through the shared driveway. The loss of the bidirectional drive aisle at the north end of the site may also lead to more traffic flowing through

the parcel, which may also lead to more car/pedestrian conflicts and congestion throughout the outparcel that may impact other businesses than the subject business. In addition, while stacking seems to be sufficient for what is being proposed, the location of the drive-thru entrance so close to the next building may present issues during high volumes where cars may block the drive aisle along the east. For these reasons, staff cannot support the design of the drive-thru.

**Public Works - Development Review**

Staff concurs with Current Planning and cannot support the addition of the drive-thru lane. The proposed design creates conflict by closing off a main drive aisle within the site. Additionally, the incoming traffic from Las Vegas Boulevard South will be in the direct path of traffic exiting the drive-thru, creating potential collisions. Staff finds that closing the driveway on Las Vegas Boulevard South would alleviate some of the traffic issues.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Directional signage and pavement striping per plans are required to direct traffic flows and reduce potential conflicts on the site.
- 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**

- Traffic study and compliance.

**Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FENN MOUN

**CONTACT:** FENN MOUN, WD PARTNERS, 19100 VON KARMAN, SUITE 600, IRVINE, CA 92612









# LAND USE APPLICATION

# 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (N2C)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR)  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #)  <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) APR-22-100333 _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-22-0383</u> DATE FILED: <u>6/22/22</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7/27/22</u> PC MEETING DATE: <u>8/2/22</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Chipotle Mexican Grill</u> ADDRESS: <u>610 Newport Center Drive Suite 1300</u> CITY: <u>Newport Beach</u> STATE: <u>Ca</u> ZIP: <u>92660</u> TELEPHONE: <u>720-289-3585</u> CELL: _____ E-MAIL: <u>bturner@chipotle.com</u>
	<b>APPLICANT</b>  NAME: <u>Fenn Moun</u> ADDRESS: <u>19100 Von Karman #800</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>949-466-8978</u> CELL: <u>949-466-8978</u> E-MAIL: <u>fenn.moun@wdpartners.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Same as applicant</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177 0911 1005

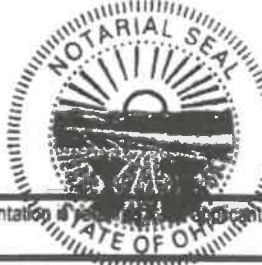
PROPERTY ADDRESS and/or CROSS STREETS: SEC of S. Las Vegas Blvd and E. Warm Springs Rd.

PROJECT DESCRIPTION: Proposing chipotle drive-thru around existing store at 7370 S Las Vegas Blvd.

(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.

Elizabeth Waterman  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Ohio  
 COUNTY OF Franklin  
 SUBSCRIBED AND SWORN BEFORE ME ON 03.23.2022 (DATE)  
 By Toni N Callaghan  
 NOTARY PUBLIC: \_\_\_\_\_



TONI N CALLAGHAN  
 NOTARY PUBLIC  
 STATE OF OHIO  
 Comm. Expires \_\_\_\_\_

\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation of 10/27/2022 applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.



CHIPOTLE MEXICAN GRILL, INC  
610 NEWPORT CENTER DR. 14<sup>TH</sup> FLOOR  
NEWPORT BEACH, CA 92606

MAIN 949.524.4075  
WEB chipotle.com

Date:  
6.17.22  
Clark County, NNV  
Planning Department

PLANNER  
COPY

Re: Chipotle Alterations (Store 407, CLane)  
minor site plan review

Dear Planning Department

The applicant Fenn Moun (WD Partners) is now requesting consideration for full Design Review for a Chipotle Alteration project located at 7370 S LAS VEGAS BLVD after planning staff indicated the project would need a design review after a three-month pre-screening process. The scope of work will be to utilize the west elevation of the existing store for a drive-lane wrap around the store. The "Chipotlane" is a drive-thru digital mobile order pickup lane whereby customers in vehicles drive-up to the proposed window to pick-up pre-purchased food through the Chipotle Ordering App. There will be no ordering menu board or speaker, since all orders are processed digitally via the app. The queue will be efficient as the food is prepared once orders are placed through the app. No pedestrian walk-ups are allowed.

Along with the proposed window opening, the building addition (approx. 107 SF) will accommodate the remodeled pickup area for the pickup window and feature a new canopy above the pickup window to shelter customer vehicles. The proposed lane will offer six-vehicle stack. The rear of Chipotle store's (8) eight parking spaces will be removed to accommodate the lane. The lane wraps to the west-side of the store, where there is a 24'-foot wide drive aisle (adjacent to MacDonald's and/Chevron). Furthermore, we have posted directional stencil and signage to direct incoming motorist from S. Las Vegas Blvd. to utilize the drive aisle adjacent to Outback Steakhouse if wishing to access the rear retail Las Vegas Premium Outlet shops. In evaluating the overall shopping center site, there is a surplus ample amount of parking spaces remaining for Chipotle to utilize throughout the extensive parking lot at the rear Outlet shops and within outparcels. Our view is that the site is consistent with the adjacent uses, notably Smashburger tenant to the easterly parcel which features an identical south-bound drive-through configuration and layout.

We have provided the attached parking calculations below to comply with the County's parking requirements. The traffic directional stencil and signage will alleviate any concerns about accessing the outlet shops.

*FENN MOUN*

Fenn Moun, WD Partners applicant

Inc: Exhibits below to demonstrate traffic directional safety and parking onsite.

**Beltway Business Park, L.L.C., a  
Nevada limited liability company**

BY: Majestic Beltway, LLC, a Nevada limited  
liability company, its manager

BY: Majestic Realty Co., a California corporation,  
its manager

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

SIGNED IN COUNTERPART  
SIGNED IN COUNTERPART

BY: Thomas & Mack Beltway, L.L.C.,  
a Nevada limited liability company, its manager and member

BY: 

ITS: \_\_\_\_\_

**Thomas A. Thomas  
Manager**



08/02/22 PC AGENDA SHEET

AIRPORT FACILITIES  
(TITLE 30)

BADURA AVE/DECATUR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500124-BELTWAY BUSINESS PARK LLC & SWITCH COMM.GROUP LLC-  
LEASE:**

**TENTATIVE MAP** consisting of 1 commercial lot on approximately 48.0 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the southwest corner of Badura Avenue and Decatur Boulevard within Enterprise. MN/sd/ja (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-01-701-028; 176-01-801-041

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6975/7135 S. Decatur Boulevard
- Site Acreage: 48
- Number of Lots: 1
- Project Type: Switch data center

The map combines 2 lots with 3 existing data storage buildings. Access is from Decatur Boulevard and Badura Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-20-0199	Waived reduced setbacks; eliminated parking lot & perimeter landscaping; architectural standards; design review for signage & accessory structures	Approved by BCC	June 2020
WS-1088-08	Increased wall height	Approved by PC	February 2009
VS-0064-08	Vacated and abandoned a right-of-way along Cappovilla Avenue and Edmond Street	Approved by PC	March 2008
WS-0906-07	Signage separation - expired	Approved by BCC	September 2007

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0681-06	Increased driveway width	Approved by PC	June 2006
ZC-1203-05	Reclassified 71.8 acres from R-E to M-1 & M-D zoning for a distribution center	Approved by BCC	September 2005
TM-013-02	Beltway Business Park 1 lot commercial subdivision	Approved by PC	February 2002
VS-1418-01	Vacated and abandoned patent easements	Approved by PC	December 2001
ZC-1214-01	Reclassified from R-E to M-D zoning	Approved by BCC	November 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Office & office/warehouse
South	Business Employment	M-1 & R-E	Office, office/warehouse, & undeveloped
East	Business Employment	M-1 & R-E	Undeveloped
West	Business Employment	M-D	Office/warehouse

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

**Staff Recommendation**

Approval.

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**

- Parcel Map shall record prior to recordation of the subject Tentative Map.
- 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**

- 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)**

- 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:** STEPHAN ATKIN

**CONTACT:** STEPHAN ATKIN, SWITCH, 7135 S DECATUR BLVD, LAS VEGAS, NV 89118







# TENTATIVE MAP APPLICATION 2A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500124</u>	DATE FILED: <u>6/21/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>SWD</u>	TAB/CAC DATE: <u>7/27/22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>8/2/22</u>	
		BCC MEETING DATE: <u>---</u>	
		FEE: <u>\$750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Beltway Business Park LLC</u>
	ADDRESS: <u>4050 W. Sunset Road Suite H</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-898-5584</u> CELL: _____
	E-MAIL: <u>RMartin@majesticrealty.com</u>

<b>APPLICANT</b>	NAME: <u>Switch LTD c/o Joshua Ewing</u>
	ADDRESS: <u>7135 S. Decatur Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-522-5428</u> CELL: _____
	E-MAIL: <u>joshua@switch.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Stephan Atkin</u>
	ADDRESS: <u>7135 S. Decatur Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>703-333-8573</u> CELL: _____
	E-MAIL: <u>SAtkin@switch.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-01-801-041 176-01-801-028

PROPERTY ADDRESS and/or CROSS STREETS: 7135 S. Decatur Blvd. / W. Badura Ave. and Decatur Blvd.

TENTATIVE MAP NAME: Tentative Map for Switch LASNAP07

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.

**SEE ATTACHED SIGNATURE PAGE**

See attached  
Property Owner (Print)

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.

Property Owner (Signature)\*  
STATE OF California  
COUNTY OF Los Angeles

SUBSCRIBED AND SWORN BEFORE ME ON June 13, 2022 (DATE)  
By Edward P. Rosko, Jr.  
NOTARY PUBLIC: Kristi Hendrickson



\*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.

Signature Page for Land Use Application # \_\_\_\_\_

**Beltway Business Park, L.L.C., a  
Nevada limited liability company**

BY: Majestic Beltway, LLC, a Nevada limited liability company, its manager

BY: Majestic Realty Co., a California corporation, its manager



BY: *Edward P. Roski, Jr.*

ITS: EDWARD P. ROSKI, JR.  
President and Chairman of the Board

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

BY: Thomas & Mack Beltway, L.L.C.  
a Nevada limited liability company, its manager and member

**SIGNED IN COUNTERPART**

ITS: \_\_\_\_\_

**SIGNED IN COUNTERPART**

08/16/22 PC AGENDA SHEET

EASEMENT/RIGHT-OF-WAY  
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-22-400085 (VS-20-0081)-KULAR GULZAR SINGH:

**VACATE AND ABANDON FIRST EXTENSION OF TIME** an easement of interest to Clark County located between Blue Diamond Road and Agate Avenue (alignment) and between Rainbow Boulevard and Inspiration Drive and a portion of right-of-way being Rainbow Boulevard located between Blue Diamond Road and Agate Avenue (alignment) and Agate Avenue (alignment) between Rainbow Boulevard and Inspiration Drive within Enterprise (description on file). JJ/jud/tk (For possible action)

RELATED INFORMATION:

**APN:**

176-23-201-016; 176-23-201-017

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

The approved plans depict a request to vacate and abandon a drainage easement (Document No. 20030805:00860) located along the west property line of APN 176-23-201-017. The applicant is also requesting to vacate the following portions of rights-of-way along Rainbow Boulevard and Agate Avenue (alignment) to be vacated: BLM Grant N-74332, BLM Grant N-75198, and the recorded portion of right-of-way via Document No. 901-723758. Vacating these rights-of-way and drainage easement is necessary for development of the site.

Previous Conditions of Approval

Listed below are the approved conditions for VS-20-0081:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;

- Right-of-way dedication to include a minimum of 55 feet to the back of curb for Rainbow Boulevard and the associated spandrel;
- Applicant shall coordinate with Public Works - Traffic Management to clarify the extent of the vacation and the necessary dedication for Rainbow Boulevard;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- Applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-20-0081; CCWRD has no objection to the request for vacation as presented, however, CCWRD requests all existing rights granted to us within the easements/right-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

Applicant's Justification

The applicant is requesting additional time to record the Order of Vacation to vacate and abandon a drainage easement, portions of right-of-way and government patent easements on the northeast corner of Rainbow Boulevard and Blue Diamond Road. The project is ongoing and permits have been applied for and expected to be issued in the near future.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-20-0080	Waived alternative driveway geometrics with design review for convenience store, gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with drive-thru	Approved by PC	May 2020
VS-20-0081-	Vacated patent easements and right-of-way	Approved by PC	May 2020
VS-18-0877	Vacated easements	Approved by BCC	December 2018
WC-18-400241 (ZC-0532-04)	Waived a condition of a zone change requiring the recordation of perpetual cross-access, ingress/egress, and parking easements, if the properties are subdivided or developed independently	Approved by BCC	December 2018
ZC-0532-04	Reclassified 7.5 acres from H-2 and C-1 zoning to C-2 zoning	Approved by BCC	May 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	C-2	Retail store
South	Business Employment	C-2	Undeveloped
East	Corridor Mixed-Use	H-2	Undeveloped
West	Corridor Mixed-Use	C-2	Convenience store with gasoline pumps & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-22-400086 (WS-20-0080)	First extension of time for a waiver of development standards for alternative driveway geometrics and design review for a convenience store, gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with drive-thru is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Currently, structural and drainage studies have been approved on the site. Staff can support an extension of time for 2 years since progress is being made and this is the first request for an extension of time.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- Until May 19, 2024 to record.

- 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 re-approval by the utility companies is required.

**Public Works - Development Review**

- Compliance with previous conditions;
- 30 days to coordinate with Public Works - Kaizad Yazdani and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: GULZAR SINGH KULAR**

**CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074**



# VACATION APPLICATION 3A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> VACATION &amp; ABANDONMENT (vs)</p> <p><input type="checkbox"/> EASEMENT(S)</p> <p><input type="checkbox"/> RIGHT(S)-OF-WAY</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):</p> <p>VS-20-0081</p>	DEPARTMENT USE	<p>APP. NUMBER: <u>ET-22-400085</u>      DATE FILED: <u>06/09/22</u></p> <p>PLANNER ASSIGNED: <u>JUD</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>7/27/22</u> at 6 pm</p> <p>PC MEETING DATE: <u>08/16/22 7pm</u></p> <p>BCC MEETING DATE: <u>—</u></p> <p>FEE: <u>\$300<sup>00</sup></u></p>
--	----------------	--

PROPERTY OWNER	<p>NAME: <u>GULZAR SINGH KULAR</u></p> <p>ADDRESS: <u>955 TEMPLE VIEW DRIVE</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89110</u></p> <p>TELEPHONE: <u>(702) 306-7872</u>      CELL: _____</p> <p>E-MAIL: <u>kularg91@gmail.com</u></p>
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APPLICANT	<p>NAME: <u>GULZAR SINGH KULAR</u></p> <p>ADDRESS: <u>955 TEMPLE VIEW DRIVE</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89110</u></p> <p>TELEPHONE: <u>(702) 306-7872</u>      CELL: _____</p> <p>E-MAIL: <u>kularg91@gmail.com</u>      REF CONTACT ID #: _____</p>
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CORRESPONDENT	<p>NAME: <u>JOHN VORNSAND, AICP</u></p> <p>ADDRESS: <u>62 SWAN CIRCLE</u></p> <p>CITY: <u>HENDERSON</u>      STATE: <u>NV</u>      ZIP: <u>89074</u></p> <p>TELEPHONE: <u>(702) 896-2932</u>      CELL: _____</p> <p>E-MAIL: <u>john@vornsandconsulting.com</u>      REF CONTACT ID #: <u>165449</u></p>
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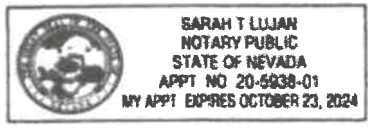
ASSESSOR'S PARCEL NUMBER(S): 176-23-201-016 & 017

PROPERTY ADDRESS and/or CROSS STREETS: NEC BLUE DIAMOND/RAINBOW

Gulzar K  
 \_\_\_\_\_  
 Property Owner (Signature)

Gulzar Singh Kular  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 4/4/2022 (DATE)  
 By Sarah T Lujan  
 NOTARY PUBLIC



**JOHN VORNSAND, AICP**

Planning & Zoning Entitlements

62 SWAN CIRCLE

HENDERSON, NEVADA 89074

Phone (702) 896-2932

Email: john@vornsandconsulting.com

May 11, 2022

RE: Justification Letter - VS-20-0081 Extension of Time

The applicant is respectfully requesting an extension of time for VS-20-0081 for additional time to record an Order of Vacation to vacate and abandon a drainage easement, portions of rights of way and Government patent easements on the Northeast corner of Rainbow Boulevard and Blue Diamond Road. The project is ongoing and permits have been applied for and expected to be issued this summer.

SINCERELY

*John Vornsand*  
John Vornsand, AICP



08/16/22 PC AGENDA SHEET

CONVENIENCE STORE  
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-22-400086 (WS-20-0080)-KULAR GULZAR SINGH:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for alternative driveway geometrics.

**DESIGN REVIEW** for a convenience store with gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with a drive-thru on 2.2 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/jud/tk (For possible action)

**RELATED INFORMATION:**

**APN:**

176-23-201-016; 176-23-201-017

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the driveway throat depth to 8 feet, 6 inches where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 68% decrease).

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.2
- Project Type: Convenience store with gasoline pumps, vehicle wash, smog check kiosk, and restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 24 (maximum)
- Square Feet: 5,210 (convenience store)/2,500 (restaurant)/2,400 (vehicle wash)/5,117 (gasoline pump fuel canopy)/80 (smog check kiosk)
- Parking Required/Provided: 46/48

### Site Plan

The approved site plan depicts a commercial development on the northeast corner of Rainbow Boulevard and Blue Diamond Road. The applicant is proposing the following structures on the site: a convenience store with gasoline pumps, a vehicle wash, a smog check kiosk, and a restaurant lease space with a drive-thru. Per the site plan, access to the site is via commercial driveways along Blue Diamond Road (southeast corner of the site), and on the northwest corner of the site (along Rainbow Boulevard). The proposed vehicle wash building is located along the north property line. The vehicle wash building is rectangular in shape and is oriented east to west. Vehicles will enter the car wash building on the east side, and exit on the west side of the building. Parking spaces are also available for customers on the south side of the car wash building.

The proposed convenience store is centrally located on the site. The design of the convenience store includes the restaurant lease space on the west side of the building, and the drive-thru is on the north side of the rectangular shaped convenience store structure. The gasoline pumps are south of the convenience store, and a smog check kiosk is located on the southwest corner of the site. Parking spaces are located on the south side of the convenience store and along the west property line. The site also includes a trash enclosure along the east property line, pedestrian walkways, and 48 parking spaces where 46 parking spaces are required.

### Landscaping

Per the originally approved landscaping plan, 24 inch box trees and 5 gallon shrubs will be planted along the east, south, and north property lines. The applicant also provides landscape finger islands within the parking areas, and south of the vehicle wash building. The vehicle wash building is screened from Rainbow Boulevard by the landscape planter.

### Elevations

Per the previously approved plans, the design of the buildings include the following: stucco finish, stucco reveals and pop-outs, decorative foam trim with a stucco finish, a parapet roof, and aluminum door and window systems. The convenience store building has an overall height of 24 feet. The smog check kiosk has an overall height of 14 feet, and the vehicle wash building has an overall height of 20 feet. The fuel canopy has an overall height of 21 feet and is constructed of an aluminum composite material. The applicant is proposing subdued neutral tones for the exterior paint selection as well as stone veneer to add some architectural interest.

### Floor Plans

Per the approved floor plans, the car wash building includes the vehicle wash tunnel and an equipment room, and has an overall area of 2,400 square feet. The convenience store portion of the building includes the retail area, storage rooms, cooler areas, restrooms, gaming area, and a cashier station. The convenience store has an overall area of 5,210 square feet. The restaurant lease space has an area of 2,500 square feet and is an open space to be finished by the future tenants. The smog check building has an overall area of 80 square feet.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-20-0080:

#### Current Planning

- 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;
- All smog related activities, including vehicles waiting for services, shall only take place within designated parking spaces.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a minimum of 55 feet to the back of curb for Rainbow Boulevard and the associated spandrel;
- Applicant shall coordinate with Public Works & Traffic Management to clarify the extent of the vacation and the necessary dedication for Rainbow Boulevard;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0063-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant is requesting an extension of time for a convenience store with gasoline pumps, car wash, smog check kiosk, and a restaurant with a drive-thru due to unanticipated delay due to the pandemic. Applicant states that the building permits have now been applied for and are expected to be issued in the near future.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-20-0080	Waived alternative driveway geometrics with design review for convenience store, gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with drive-thru	Approved by PC	May 2020
VS-20-0081	Vacated patent easements and right-of-way	Approved by PC	May 2020
VS-18-0877	Vacated easements	Approved by BCC	December 2018
WC-18-400241 (ZC-0532-04)	Waived a condition of a zone change requiring the recordation of perpetual cross-access, ingress/egress, and parking easements, if the properties are subdivided or developed independently	Approved by BCC	December 2018
ZC-0532-04	Reclassified 7.5 acres from H-2 and C-1 zoning to C-2 zoning	Approved by BCC	May 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Retail store
South	Business Employment	C-2	Undeveloped
East	Corridor Mixed-Use	H-2	Undeveloped
West	Corridor Mixed-Use	C-2	Convenience store with gasoline pumps & undeveloped

**Related Applications**

Application Number	Request
ET-22-400085 (VS-20-0081)	First extension of time to vacate and abandon a drainage easement, portions of right of way, and government patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant has approved studies with Public Works such as drainage and structural studies. Staff finds that a 2 year extension of time is appropriate in this situation and will not negatively impact the surrounding area.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until May 19, 2024 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions;
- 30 days to coordinate with Public Works - Kaizad Yazdani and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: GULZAR SINGH KULAR**

**CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074**





**JOHN VORNSAND, AICP**

Planning & Zoning Entitlements

62 SWAN CIRCLE

HENDERSON, NEVADA 89074

Phone (702) 896-2932

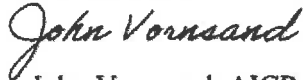
Email: john@vornsandconsulting.com

May 11, 2022

RE: Justification Letter - WS-20-0080 Extension of Time

The applicant is respectfully requesting an extension of time for WS-20-0080 for a convenience store with gasoline pumps, car wash, smog check kiosk and a restaurant with a drive-thru on the Northeast corner of Rainbow Boulevard and Blue Diamond Road. Unanticipated delays were experienced due to the pandemic. Building permits have now been applied for and expected to be issued in July or August.

SINCERELY



John Vornsand, AICP



The proposed residential subdivision is approximately 16.73 gross acres with 160 single family residential dwelling units, resulting in a density of 9.56 dwelling units per gross acre. Therefore, to rezone the parcels to Residential Urban Density District (RUD) zoning, a Non-Conforming Zone Change is required. The project site is surrounded by public roadways with a single-family residential subdivision with R-E zoning across Gary Avenue to the north, across Hinson Street the east, and across Silverado Ranch Blvd. to the south. A single-family residential subdivision with R-2 zoning is also located across Silverado Ranch Blvd to the south. A business employment with C-2 zoning is located at the southwest corner of the project site. A Public Use with P-F zoning is located across Arville Street to the west. The minimum lot square footage for the project exceeds the minimum required (2,000 square feet) per Clark County Development Code for RUD zoning.

The following is a detailed response to the requirements specified for a “Compelling Justification” under Chapter 30.08:

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

**Response:** The current zoning of Rural Estates Residential (R-E) was established for areas suited to low density residential uses with consideration for raising crops and a limited number of animals. Per the Demographics section of the 2014 Enterprise Land Use Plan, there was an increase of over 154,000 persons in Enterprise from 2000 to 2014 or approximately 700% growth over those 14 years. Future projections show Enterprise will continue to have population growth and demand single family detached housing. As of 2014, more than 72% of the housing in Enterprise was single family detached versus less than 60% for the Las Vegas Valley Urban Area. The applicant is proposing Residential Urban Density District (RUD) zoning, which was established to provide compact single-family residential use, and allows a suitable density for the surrounding area to support the continual growth of Enterprise.

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

**Response:** The proposed development requires a zone change from R-E to RUD. There are existing residential neighborhoods with either R-E or R-2 zoning in all directions surrounding the proposed site. This project provides a good transition from commercial zoned properties at the corner of Silverado Ranch Boulevard and Arville Street with the lower densities to the east. A zone change to RUD will blend with the surrounding existing and planned communities.

**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.**

**Response:** A technical analysis will be done for the drainage and water/sewer facilities before the Civil Improvement Plans are submitted. The Police Department, School District, and Fire Department that service this area will be contacted for the preparation of the reports which are required for the non-conforming zone change. The following infrastructure and services are in the area:

- a. The project will be adjacent to Arville Street and Gary Avenue.
- b. Public utility infrastructure is in the area. Water and sewer will be extended to connect to the nearest available source or outfall.
- c. A police station located approximately 4.9 miles northwest at Rainbow Blvd and Windmill Ln.
- d. Fire stations located approximately 2.8 miles southeast near intersection of Valley View Boulevard and Starr Avenue.
- e. An existing library located approximately 5.0 miles northwest at Rainbow Boulevard and Windmill Lane.
- f. Desert Oasis High School is located within approximately 3.8 miles southwest, Lois and Jerry Tarkanian Middle School located within approximately 1.9 miles southwest, and the Ries Elementary School is located within approximately 1.3 miles west.
- g. Several hospitals and medical complexes in the area.
- h. Multiple churches within a 3.0 mile radius.

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

**Response:** The southern area of the Las Vegas Valley currently demands additional residential homes with pedestrian-friendly neighborhoods, which the proposed community will provide. Given that this community is not gated and many of the homes face the perimeter streets, it allows for inter-connected neighborhoods with future development. Home construction incorporates sustainable features such as Energy Star certification, installation of Water Sense and Water Smart products, and drought tolerant landscaping in the front yards. The area is also a family-friendly atmosphere thrives alongside many lifestyle options to accommodate the diverse population and provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities such as first time homebuyers and move-up buyers, bringing younger families to the area that will be walking to schools and serving nearby commercial centers.

The proposed development will provide a desirable residential neighborhood that promotes the development of other vacant properties in the area, while meeting the growth demand in Enterprise.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Michael Fang, PE  
Project Manager

internal portion of the site. The Clark County Regional Flood Control District has mapped a drainage basin boundary through the center of the subject parcels which divides the drainage to the north and south. The division of the drainage will require a highpoint at the mid-point of the project, therefore raising the internal fill required for the site. With the final design of the subject property, Westwood Professional Services shall coordinate throughout the development process to make the elevation difference along the property boundary as well as where any existing washes are filled will be as minimal as possible.

### Architecture

The proposed application includes five house plans and three elevation styles for each plan to be used on the 35' wide lots. The two-story homes range in size of livable area from 1,590 to 2,469 square feet. The homes range in height from ~23ft 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.

### Setbacks

The setbacks for the proposed project are as follows:

Front (Living):	10 feet
Front (Garage):	20 feet
Side (Interior):	5 feet
Side (Corner):	10 feet
Rear (Living):	15 feet (except as noted below) 6 feet (house plans 2124 and 2469 on lots 1-7, 51-56 and 57-59)

### Tentative Map

The associated Tentative Map (TM) will establish the layout of 160-residential lots, nine (9) 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, width, and locations of utility and drainage easements.

### Waiver of Development Standards

A waiver of development standards application is being submitted to request the following:

#### **Title 30 Section 30.56.040.6 – Rear Setback**

Standard:	Setback distance shall not be less than 15 feet.
Requested Waiver:	Decrease the setback to 6ft for two house plans on 16 lots (10%).
Justification:	The waiver is being requested due to the house plans utilizing a side yard access from inside the house to the side yard. The yard will be enclosed with a retaining and/or screen wall of 6ft minimum in length in the rear yard and 10 ft minimum in length in the side yard. The decreased rear yard setback allows the project to generate more home buying options to meet with the current home market's demand. The rear setback reductions will only apply to two of the five house plans (2124 and 2469) being offered in this community.

These lots are indicated by an asterisk on the enclosed Tentative Map and Site Plan.

### **Title 30 Section 30.40-2 – Open Space**

Standard: 200 square feet open space per unit.

Requested Waiver: Decrease the required open space per unit by 20%.

Justification: The required open space is 32,000 square feet and is being reduced to a total of 25,647 square feet of usable open space. The usable open space is dispersed evenly throughout the site with a 25-foot paseo and centrally located park area. It is intended to have the open space easily accessible by the homeowners and isolate the privately maintained open space from the public view along Arville Street and Silverado Ranch Boulevard. The open space provided will include a covered picnic area, benches, and usable turf. In addition, dog waste stations will be provided throughout the neighborhood. We believe the amenities provided will be sufficient for the neighborhood since most all lots have a minimum 525 square feet of private open space provided within the enclosed yard areas on each lot.

### **Title 30 Section 30.52.052.a.1 – Intersections**

Standard: Street intersections shall be offset a minimum of 125 feet.

Requested Waiver: Reduce the intersection offset to 110 feet.

Justification: This request is to allow the offset to be reduced to approximately 110-feet from Silverado Ranch Boulevard to the proposed Street D. Silverado Ranch Boulevard is a 100-foot wide public right-of-way while Street D is a 43-foot wide private street within the proposed development. Street D is the first street inside the development and the homes along the north side of the street will have direct access to Hinson Street, therefore, an entry was placed to limit direct access for the lots closest to Silverado Ranch Boulevard. These lots are approximately 95 feet deep with an additional 15 foot landscape area adjacent to Silverado Ranch Boulevard, creating the request for the reduced intersection offset. The land use and lot sizes are in conformance with the zoning requirements of the development code and the adjacent properties; therefore, we believe this request is reasonable.

### **Compelling Justification for NZC**

The existing land use for the parcels are Business Employment (BE) and Mid-Intensity Suburban neighborhood (MN). All the parcel's current zoning classification is Rural Estates Residential (R-E).

08/16/22 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

JONES BLVD/TORINO AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-22-400087 (VS-19-0941)-HIGHLAND PROPERTY MANAGEMENT, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Jones Boulevard and Bronco Street (alignment), and between Torino Avenue and Ford Avenue within Enterprise (description on file), JJ/sr/tk (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-14-801-050

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

**BACKGROUND:**  
**Project Description**

The vacation was previously approved for patent easements and right-of-way grant easements along the east, south, and west boundary lines to allow development of the parcels.

Previous Conditions of Approval,  
Listed below are the approved conditions for VS-19-0941:

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication for Jones Boulevard and the Jones Boulevard and Torino Avenue spandrel to be coordinated with Public Works - Design Division;
- Right-of-way dedication to include 30 feet for Torino Avenue, 30 feet for Bronco Street, and associated spandrels;
- Vacation shall be coordinated with Public Works- Design Division;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Applicant's Justification**

The applicant is requesting an extension to allow more time to complete the processing of the vacation and other permits for the construction of the project. The applicant states the previous application was submitted by the former design team and the current team was unaware of the expiration.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-22-900149 (WS-19-0940)	First extension of time for a warehouse/office building with reduced parking, alternative landscaping, and alternative driveway geometrics	Approved by ZA	March 2022
VS-19-0941	Vacated and abandoned patent easements and right-of-way grant easements	Approved by PC	January 2020
WS-19-0940	Warehouse/office building with reduced parking, alternative landscaping, and alternative driveway geometrics	Approved by PC	January 2020

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	M-1 & R-E	Undeveloped
South	Business Employment	M-1	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	M-1 (RNP-I) & R-E (RNP-I)	Undeveloped

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until January 21, 2024 to record.
- 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 re-approval by the utility companies will be required.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** CINDY BULLARD

**CONTACT:** RAY FREDERICKSEN, PER4MANCE ENGINEERING, 4525 W. HACIENDA AVE, STE 1, LAS VEGAS, NV 89118







# VACATION APPLICATION 5A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): <u>VS-19-0941</u>	DEPARTMENT USE	APP. NUMBER: <u>ET-22-400087</u> DATE FILED: <u>6/16/22</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7/27/22</u> PC MEETING DATE: <u>8/16/22</u> 6pm BCC MEETING DATE: _____ FEE: <u>\$475</u>
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PROPERTY OWNER	NAME: <u>Highland Property Management LLC</u> ADDRESS: <u>20 Olympia Chase Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>562-598-5000</u> CELL: _____ E-MAIL: <u>cindyb@premieredisplays.com</u>
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APPLICANT	NAME: <u>LM Construction Co., LLC</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>Larry@LMConstructionco.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Ray Frederickson</u> ADDRESS: <u>4525 W. Hacienda Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-569-9770</u> CELL: _____ E-MAIL: <u>RayF@per4mancelv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(s): 176-14-801-050

PROPERTY ADDRESS and/or CROSS STREETS: Jones & Torino

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.

<u>C Bullard</u> Property Owner (Signature)* STATE OF NEVADA <u>Clark</u> COUNTY OF _____ SUBSCRIBED AND SWORN BEFORE ME ON <u>May 12, 2022</u> (DATE) By <u>Cindy Bullard</u> NOTARY PUBLIC: <u>J. Santos</u>	<u>Cindy Bullard</u> Property Owner (Print) <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>TASITY SANTIAGO            Notary Public, State of Nevada            Appointment No. 05-94173-1            My Appt. Expires Jun 22, 2023</p> </div>
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\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.



May 18, 2022

Clark County  
Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas, NV 89050

**PLANNER  
COPY**

ET-22-400087

**Re: Justification Letter Jones and Torino Warehouse – Extension of Time  
(APN(s): 176-14-801-050)**

Dear Planner,

Per4mance Engineering, llc. on behalf of the applicant, Highland Property Management llc.. respectfully submits this justification letter in support of the Extension of Time Application for a Vacation for the subject development. The proposed project requires an Extension of Time as follows:

- 1) Extension of time for VS-19-0941

Please find enclosed an extension of time to extend VS-19-0941. The previously approved vacation expired January 21, 2022. The project is ongoing, in fact, very near approval from Clark County Public Works. The previous vacation was submitted by the former design team and the current team was unaware of the expiration. We need to process the extension for the previous vacation to get the vacation(s) active again so we can finish the project and receive construction permits.

Any help to get this project on a planning cycle asap would be greatly appreciated.

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.  
President

SINGLE FAMILY RESIDENTIAL  
DEVELOPMENT  
(TITLE 30)

ARVILLE ST/SILVERADO RANCH BLVD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-22-0381-ROOHANI KHUSROW FAMILY TRUST:**

**ZONE CHANGE** to reclassify 16.8 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; 2) reduce open space; and 3) street intersection off-set.

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

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

**RELATED INFORMATION:**

**APN:**

177-19-801-017; 177-19-801-018; 177-19-802-022

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the rear yard setback to 6 feet where a minimum setback of 15 feet is required per Table 30.40-2 (a 60% reduction).
2. Reduce the required open space to 25,467 square feet where a minimum of 32,000 square feet is required per Table 30.40-2 (a 21.9% reduction).
3. Reduce street intersection off-set to 110 feet where 125 feet is required per Chapter 30.52 (a 12% reduction).

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase finished grade to 74 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 105.6% increase).

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 16.8
- Number of Lots: 160
- Density (du/ac): 9.6
- Minimum/Maximum Lot Size (square feet): 3,030/4,797
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 21.5 to 28
- Square Feet: 1,590 to 2,482
- Open Space Required/Provided (square feet): 32,000/25,467

#### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify 16.8 acres from an R-E zoning district to an RUD zoning district to allow a single family residential development. The applicant conducted a neighborhood meeting on May 31, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Three people attended the meeting and did not express any concerns or objections with the proposed development.

#### Site Plans

The plans depict a single family residential development consisting of 160 lots on 16.8 acres with a density of 9.6 dwelling units per gross acre. The minimum and maximum lot sizes are 3,030 square feet and 4,797 square feet respectively. The primary ingress and egress to the proposed development is provided by the following: 1) a 43 foot wide east/west private street (Street A) connecting to Arville Street; 2) a 43 foot wide east/west private street (Street D) connecting to Hinson Street; and 3) a 43 foot wide north/south private street (Street C) connecting to Gary Avenue. Five foot wide attached sidewalks are provided on 1 side of the private streets, A through D, serving the interior of the development. Five foot wide detached sidewalks are provided along Arville Street and Silverado Ranch Boulevard, and 5 foot wide attached sidewalks are provided along Gary Avenue and Hinson Street, per Code requirements. The proposed development requires 32,000 square feet of open space where 25,467 square feet of open space is provided, necessitating a waiver of development standards. The open space area (Common Element A) is centrally located within the project site dividing 2 rows of residences, Lot 142 through Lot 160 and Lot 121 through Lot 141. The open space area measures a minimum of 25 feet in width with a linear length of 669 feet. An open space area measuring 2,739 square feet is located immediately to the west of Lot 142 and adjacent to private street B. A waiver of development standards is requested to reduce the rear yard setback for Lot 1 through Lot 7, Lot 51 through Lot 56, and Lot 57 through Lot 59. A third waiver of development standards is requested to reduce the street intersection off-set to 110 feet from Silverado Ranch Boulevard to private Street D. The increase in finished grade will predominantly occur within the eastern portion of the proposed development.

### Landscaping

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, adjacent to Arville Street and Silverado Ranch Boulevard. Twenty-four inch box trees planted 20 feet on center, including shrubs and groundcover, are located within the street landscape area. The proposed development requires 32,000 square feet of open space where 25,467 square feet of open space is provided, necessitating a waiver of development standards.

### Elevations

The plans depict 2 story model homes with a height ranging from 21.5 feet to 28 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, stone veneer, and varying rooflines. Architectural enhancements are featured on all elevations including window fenestration, faux shutters, and stucco pop-outs.

### Floor Plans

The plans depict 2 story model homes with multiple floor plans ranging from 1,590 square feet to 2,482 square feet. The models feature multiple bedrooms, bathrooms, dining room, kitchen, and a gathering room. All models feature 2 car garages.

### Applicant's Justification

The waiver to reduce the rear yard setback is being requested due to the house plans utilizing a side yard access from inside the house to the side yard. The yard will be enclosed with a retaining and/or screen wall of 6 feet minimum in length in the rear yard and 10 feet minimum in length in the side yard. The decreased rear yard setback allows the project to generate more home buying options to meet with the current market demands. The rear setback reductions will only apply to 2 of the 5 house plans (2124 square feet and 2469 square feet) being offered in this community.

The usable open space is dispersed evenly throughout the site with a 25 foot paseo and centrally located park area. It is intended to have the open space easily accessible by the homeowners and isolate the privately maintained open space from the public view along Arville Street and Silverado Ranch Boulevard. The open space provided will include a covered picnic area, benches, and usable turf. In addition, dog waste stations will be provided throughout the neighborhood. The applicant believes the amenities provided will be sufficient for the neighborhood since most all lots have a minimum 525 square feet of private open space provided within the enclosed yard areas on each lot.

The street intersection off-set is justified as Silverado Ranch Boulevard is a 100 foot wide public right-of-way while Street D is a 43 foot wide private street within the proposed development. Street D is the first street inside the development and the homes along the north side of the street will have direct access to Hinson Street; therefore, an entry was placed to limit direct access for the lots closest to Silverado Ranch Boulevard. These lots are approximately 95 feet deep with an additional 15 foot landscape area adjacent to Silverado Ranch Boulevard, creating the request for the reduced intersection off-set. The land use and lot sizes are in conformance with the zoning requirements of the Development Code and the adjacent properties; therefore, the applicant believes this request is reasonable.

The topography of the subject property falls from the west to the east and upon review of the grading and drainage for this site, there is a 74 inch grade difference within the eastern internal portion of the site. The Clark County Regional Flood Control District has mapped a drainage basin boundary through the center of the subject parcels which divides the drainage to the north and south. The division of the drainage will require a highpoint at the mid-point of the project; therefore, raising the internal fill required for the site. With the final design of the subject property, Westwood Professional Services shall coordinate throughout the development process to make the elevation difference along the property boundary as well as where any existing washes are filled will be as minimal as possible.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-E, R-2, & R-3	Undeveloped & single family residential
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Business Employment & Public Use	C-2 & R-F	Armory

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0382	A request to vacate right-of-way and patent easements is a companion item on this agenda.
TM-22-500129	A tentative map for a 160 lot single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning Zone Change**

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

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area,*

*or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The applicant states the current zoning of R-E (Rural Estates Residential) was established for areas suited to low density residential uses with consideration for raising crops and a limited number of animals. Per the Demographics section of the 2014 Enterprise Land Use Plan, there was an increase of over 154,000 persons in Enterprise from 2000 to 2014 or approximately 700 percent growth over those 14 years. Future projections show Enterprise will continue to have population growth and a demand for single family detached housing. As of 2014, more than 72 percent of the housing in Enterprise was single family detached versus less than 60 percent for the Las Vegas Valley Urban Area. The applicant is proposing Residential Urban Density District (RUD) zoning, which was established to provide compact single family residential use, and allows a suitable density for the surrounding area to support the continual growth of Enterprise.

Immediately to the north of the proposed subdivision are undeveloped parcels zoned R-E with a planned land use of Business Employment and Mid-Intensity Suburban Neighborhood. To the west of the project site is an undeveloped C-2 zoned parcel with a planned land use of Business Employment. Farther to the west, across Arville Street, is a P-F zoned parcel containing an armory. To the east of the proposed development are undeveloped parcels zoned R-E with a planned land use of Mid-Intensity Suburban Neighborhood. To the south of the project site, across Silverado Ranch Boulevard, is a 44 acre single family residential development zoned R-2 and R-3 with a planned land use of Compact Neighborhood and Mid-Intensity Suburban Neighborhood. Immediately to the west of the 44 acre single family residential development is a previously approved (ZC-21-0496) 7.6 acre single family attached (townhouse) project (currently undeveloped) zoned R-3. The trend in this area is for both single family attached (townhouse) and single family detached residential development. The proposed zone change to RUD for single family residential development is consistent and compatible with the existing and approved development in this area and is appropriate for this location.

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

The applicant indicates there are existing residential neighborhoods with either R-E or R-2 zoning in all directions surrounding the proposed site. This project provides a good transition from commercial zoned properties at the corner of Silverado Ranch Boulevard and Arville Street with the lower densities to the east. A zone change to RUD will blend with the surrounding existing and planned communities.

To the south of the project site, across Silverado Ranch Boulevard, is an existing single family residential development zoned R-2 and R-3. The R-2 zoned portion of the development consists of 34.2 acres with a density of 5.6 dwelling units per acre (single family residences). The R-3 zoned portion of the development consists of 9.9 acres with a density of 11.7 dwelling units per acre (townhouses). The existing single family residential development has Compact Neighborhood and Mid-Intensity Suburban Neighborhood. Immediately to the west of the R-2 and R-3 zoned single family residential development is a previously approved (ZC-21-0496)

single family attached (townhouse) project (currently undeveloped) zoned R-3 with a density of 11.5 dwelling units per acre and a planned land use of Compact Neighborhood. Therefore, staff finds that the density and intensity of the proposed project, a single family residential development with a density of 9.6 dwelling units per acre, is compatible with the existing and planned land uses in the area.

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

The applicant states a technical analysis will be done for the drainage and water/sewer facilities before the Civil Improvement Plans are submitted. The Police Department, School District, and Fire Department that service this area will be contacted for the preparation of the reports which are required for the nonconforming zone change.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this development would generate 27 additional elementary school students, 15 middle school students, and 21 high school students. Furthermore, the school district has indicated that Ortwein Elementary School and Tarkanian Middle School are under capacity by 97 and 223 students, respectively. The school district has indicated that Desert Oasis High School is over capacity by 651 students.

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

The southern area of the Las Vegas Valley currently demands additional residential homes with pedestrian friendly neighborhoods, which the proposed community will provide. Given that this community is not gated and many of the homes face the perimeter streets, it allows for interconnected neighborhoods with future development. Home construction incorporates sustainable features such as Energy Star certification, installation of Water Sense and Water Smart products, and drought tolerant landscaping in the front yards. The area is also a family friendly atmosphere and thrives alongside many lifestyle options to accommodate the diverse population and provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities such as first time homebuyers and move-up buyers, bringing younger families to the area that will be walking to schools and serving nearby commercial centers.

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The existing single family residential development to the south was approved for 5.6 and 11.7 dwelling units per acre, respectively. Staff finds the project complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments.



## **Summary**

### Zone Change

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. The applicant has provided a sufficient compelling justification for this nonconforming zone boundary amendment request. However, since staff is not supporting the associated waiver of development standards and design review with this request, staff cannot support the nonconforming zone boundary amendment.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The request to reduce the required rear yard setback is a self-imposed burden and could be eliminated by increasing the area of the lots. Staff finds the applicant has not provided sufficient justification for this request; therefore, recommends denial.

#### Waiver of Development Standards #2

The open space provided within the proposed development is 6,533 square feet less than what is required per Code requirements. The typical lot size within the development is 3,325 square feet; therefore, staff finds the required open space can be provided by eliminating 2 lots. The request to reduce the open space within the development is a self-imposed burden. Staff finds the applicant has not provided sufficient justification for this request; therefore, recommends denial.

#### Design Review #1

Architectural enhancements, including varying rooflines, are provided on all sides of the proposed residences. Staff finds that the design of the residences and the overall site comply with Policy 1.3.1 of the Master Plan which encourages the integration of varied housing models, architectural styles, streetscapes, common landscape areas, and other character-defining features that contribute to a distinct neighborhood identity. However, staff is concerned with the reduction to the required open space within the development, in addition to the configuration of the open space. The open space provided within the proposed development is 6,533 square feet less than what is required per Code requirements. Furthermore, the configuration of the open space divides 2 rows of residences, Lot 142 through Lot 160 and Lot 121 through Lot 141, creating a canyon affect. The open space area measures 25 feet in width, and has a linear length of 669 feet, which could potentially create defensible space issues for law enforcement. The proposed configuration of the open space is not practical and is partially isolated from the remainder of the development. Staff finds the open space should have a unified design, either

through a series of connected green space areas within the subdivision or a centrally located area within the development that is both visible and easily accessible for all residents; therefore, staff cannot support the design review associated with this request.

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

#### Waiver of Development Standards #3

Staff cannot support this request to reduce the intersection off-set between Street D and Silverado Ranch Boulevard along Hinson Street. Silverado Ranch Boulevard is a major arterial street with direct access to I-15 less than three-quarters of a mile east of the subject site, further increasing traffic volumes. Staff finds that Hinson Street will be the main access to the subdivision as it is closest to I-15. Therefore, it is imperative the the minimum intersection off-set distance is exceeded to help prevent collisions with both traffic to this subdivision but also for the future development north and east of the subject site.

#### 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. However, since Planning is recommending denial of this application, staff cannot support this request.

### **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**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 21, 2022 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 Gary Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Boulevard improvement project;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Detention Basin improvement project;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on the north side of Silverado Ranch Boulevard as close as practical to the west side of Hinson Street in accordance with RTC standards.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### **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 #0006-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CHRISTA BILBREY

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST, BOSTON,  
MA 02116



# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)  <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>N2C-22-0381</u> DATE FILED: <u>6/22/22</u> PLANNER ASSIGNED: <u>MUO</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>7/27/22</u> PC MEETING DATE: <u>8/16/22 @ 7:00 P.M.</u> @ <u>6:00 P.M.</u> BCC MEETING DATE: <u>9/21/22 @ 9:00 A.M.</u> FEE: <u>\$3,886.50</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Khusrow Roohani Family Trust</u> ADDRESS: <u>9500 Hillwood Drive, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-823-4919</u> CELL: _____ E-MAIL: <u>kroohani@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>KB Home Las Vegas Inc.</u> ADDRESS: <u>5795 W Badura Ave., Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8466</u> CELL: <u>702-449-5131</u> E-MAIL: <u>cbilbrey@kbhome.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: <u>132024</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-017 & 177-19-802-022 & 177-19-801-018

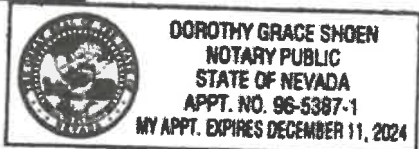
PROPERTY ADDRESS and/or CROSS STREETS: Gary Avenue and Arville Street

PROJECT DESCRIPTION: A single family residential development.

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

[Signature]  
 Property Owner (Signature)\*  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 1-31-22 (DATE)  
 By Khusrow Roohani - Trustee  
 NOTARY PUBLIC: Dorothy Grace Shoen

Khusrow Roohani, Trustee  
 Property Owner (Print)



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

KBH2202

May 16, 2022

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

PLANNER  
COPY

NZC-22-0381

**RE: Arville and Gary Compelling Justification Letter for a Non-Conforming Zone Change, Design Review, Tentative Map, and Waiver of Standards  
160 lots; 16.73 +/- acres; APN: 177-19-801-017, -018, & 177-19-802-022**

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, KB Home of Nevada, Inc respectfully submits this compelling justification letter with an application for a Non-Conforming Zone Change (NCZC), Design Review (DR), Tentative Map (TM), and Waiver (WS) for the proposed community. We have received a letter from Michael Shannon on behalf of Justin Jones allowing us to submit entitlements.

### Project Description

The subject parcels, within the Enterprise Jurisdiction, are located at the northeast corner of the Arville Street and Silverado Ranch Boulevard intersection. The proposed residential subdivision is approximately 16.73 gross acres with 160 single family residential dwelling units, resulting in a density of 9.56 dwelling units per gross acre.

### Design Review

#### Site Plan

The project is composed primarily of 35'x95' lots. The lots are laid out in an east to west and north to south orientation. The storm drain outlet under Arville Street is north of our site and no improvements are proposed to daylight to the existing wash north of Gary Avenue. The inundation area will be analyzed to determine if any mitigation along the West and North edge of the project will be needed to protect the site.

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 5-foot sidewalk on one side of the street. The project will not be gated and will include three points of access; from the West along Arville Street, North along Gary Avenue and East along Hinson Street. Perimeter public streets include Silverado Ranch Boulevard which is a 45-foot half street with detached sidewalk, Arville Street which is a 35-foot half street right-of-way with detached sidewalks, Gary Avenue which is a 30-foot half street right-of-way with attached sidewalk, and Hinson Street which is a 30-foot half street right-of-way with attached sidewalk. These public streets will include half-street improvements including curb, gutter, and sidewalks.

#### Grade Difference

Per Section 30.32.040.a.9, increasing finish grade to 74 inches where a maximum of 36 inches is the standard. The topography of the subject property falls from the west to east and upon review of the grading and drainage for this site, there is a 74 inches grade difference within the eastern

The proposed residential subdivision is approximately 16.73 gross acres with 160 single family residential dwelling units, resulting in a density of 9.56 dwelling units per gross acre. Therefore, to rezone the parcels to Residential Urban Density District (RUD) zoning, a Non-Conforming Zone Change is required. The project site is surrounded by public roadways with a single-family residential subdivision with R-E zoning across Gary Avenue to the north, across Hinson Street the east, and across Silverado Ranch Blvd. to the south. A single-family residential subdivision with R-2 zoning is also located across Silverado Ranch Blvd to the south. A business employment with C-2 zoning is located at the southwest corner of the project site. A Public Use with P-F zoning is located across Arville Street to the west. The minimum lot square footage for the project exceeds the minimum required (2,000 square feet) per Clark County Development Code for RUD zoning.

The following is a detailed response to the requirements specified for a “Compelling Justification” under Chapter 30.08:

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

**Response:** The current zoning of Rural Estates Residential (R-E) was established for areas suited to low density residential uses with consideration for raising crops and a limited number of animals. Per the Demographics section of the 2014 Enterprise Land Use Plan, there was an increase of over 154,000 persons in Enterprise from 2000 to 2014 or approximately 700% growth over those 14 years. Future projections show Enterprise will continue to have population growth and demand single family detached housing. As of 2014, more than 72% of the housing in Enterprise was single family detached versus less than 60% for the Las Vegas Valley Urban Area. The applicant is proposing Residential Urban Density District (RUD) zoning, which was established to provide compact single-family residential use, and allows a suitable density for the surrounding area to support the continual growth of Enterprise.

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

**Response:** The proposed development requires a zone change from R-E to RUD. There are existing residential neighborhoods with either R-E or R-2 zoning in all directions surrounding the proposed site. This project provides a good transition from commercial zoned properties at the corner of Silverado Ranch Boulevard and Arville Street with the lower densities to the east. A zone change to RUD will blend with the surrounding existing and planned communities.

**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.**

**Response:** A technical analysis will be done for the drainage and water/sewer facilities before the Civil Improvement Plans are submitted. The Police Department, School District, and Fire Department that service this area will be contacted for the preparation of the reports which are required for the non-conforming zone change. The following infrastructure and services are in the area:

- a. The project will be adjacent to Arville Street and Gary Avenue.
- b. Public utility infrastructure is in the area. Water and sewer will be extended to connect to the nearest available source or outfall.
- c. A police station located approximately 4.9 miles northwest at Rainbow Blvd and Windmill Ln.
- d. Fire stations located approximately 2.8 miles southeast near intersection of Valley View Boulevard and Starr Avenue.
- e. An existing library located approximately 5.0 miles northwest at Rainbow Boulevard and Windmill Lane.
- f. Desert Oasis High School is located within approximately 3.8 miles southwest, Lois and Jerry Tarkanian Middle School located within approximately 1.9 miles southwest, and the Ries Elementary School is located within approximately 1.3 miles west.
- g. Several hospitals and medical complexes in the area.
- h. Multiple churches within a 3.0 mile radius.

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

**Response:** The southern area of the Las Vegas Valley currently demands additional residential homes with pedestrian-friendly neighborhoods, which the proposed community will provide. Given that this community is not gated and many of the homes face the perimeter streets, it allows for inter-connected neighborhoods with future development. Home construction incorporates sustainable features such as Energy Star certification, installation of Water Sense and Water Smart products, and drought tolerant landscaping in the front yards. The area is also a family-friendly atmosphere thrives alongside many lifestyle options to accommodate the diverse population and provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities such as first time homebuyers and move-up buyers, bringing younger families to the area that will be walking to schools and serving nearby commercial centers.

The proposed development will provide a desirable residential neighborhood that promotes the development of other vacant properties in the area, while meeting the growth demand in Enterprise.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Michael Fang, PE  
Project Manager



08/16/22 PC AGENDA SHEET

RIGHT-OF-WAY & EASEMENTS  
(TITLE 30)

ARVILLE ST/SILVERADO RANCH BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-22-0382-ROOHANI KHUSROW FAMILY TRUST:**

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

RELATED INFORMATION:

**APN:**

177-19-801-017; 177-19-801-018; 177-19-802-022

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

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

**BACKGROUND:**

**Project Description**

This application is a request to vacate and abandon portions of easements and rights-of-way. The first part of the request is to vacate 33 foot wide patent easements that are centrally located within the project site and a 3 foot wide patent easement located along the north portion of the site, adjacent to Gary Avenue. The second part of the request is to vacate and abandon 5 foot wide portions of right-of-way located along Silverado Ranch Boulevard and Arville Street to accommodate the required detached sidewalk. The third part of the request is to vacate 30 foot wide easements, centrally located within the project site, as acquired by Clark County in a resolution relative to acquisition of rights-of-way. The vacation and abandonment of the easements and right-of-way is necessary to develop the site.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-E, R-2, & R-3	Undeveloped & single family residential

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Business Employment and Public Use	C-2 & P-F	Armory

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

### Related Applications

Application Number	Request
NZC-22-0381	A nonconforming zone change to reclassify 16.8 acres from an R-E to an RUD zone for a single family residential development is a companion item on this agenda.
TM-22-500129	A tentative map for a 160 lot single family residential development is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Public Works - Development Review

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

#### Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 21, 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 Gary Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Boulevard improvement project;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Detention Basin 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:** CHRISTA BILBREY

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST, BOSTON, MA 02116





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>VS-22-0382</u> <b>DATE FILED:</b> <u>6/22/22</u>
		<b>PLANNER ASSIGNED:</b> <u>MNO</u> <b>TAB/CAC:</b> <u>ENTERPRISE</u> <b>TAB/CAC DATE:</b> <u>7/27/22</u> <b>PC MEETING DATE:</b> <u>8/16/22 @ 7:00 P.M.</u> @ <u>6:00 P.M.</u> <b>BCC MEETING DATE:</b> <u>9/21/22 @ 9:00 A.M.</u> <b>FEE:</b> <u>\$875.00</u>

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>Khusrow Roohani Family Trust</u>
	<b>ADDRESS:</b> <u>9500 Hillwood Drive, Suite 200</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89113</u>
	<b>TELEPHONE:</b> <u>702-823-4919</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>kroohani@gmail.com</u>

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

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Westwood Professional Services</u>
	<b>ADDRESS:</b> <u>5725 W. Badura Ave., Suite 100</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>Nevada</u> <b>ZIP:</b> <u>89118</u>
	<b>TELEPHONE:</b> <u>702-284-5300</u> <b>CELL:</b> _____
	<b>E-MAIL:</b> <u>lvproc@westwoodps.com</u> <b>REF CONTACT ID #:</b> <u>132024</u>

**ASSESSOR'S PARCEL NUMBER(S):** 177-19-801-017 & 177-19-802-022 & 177-19-801-018

**PROPERTY ADDRESS and/or CROSS STREETS:** Arville Gary

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.

*Khusrow Roohani*

Property Owner (Signature)\*

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1-31-22 (DATE)

By Khusrow Roohani - Trustee

NOTARY PUBLIC: Dorothy Grace Shoen

Khusrow Roohani, Trustee

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.

KBH2202.000

March 29, 2022

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

VS-22-0382

**RE: Justification Letter in Support of Multiple Vacations for Arville Gary Project  
160 lots; 16.73+/- acres  
APN: APN: 177-19-801-017, -018, & 177-19-802-022 (177-19-899-017 & 018)**

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, KB Home respectfully submits this justification letter in support of Multiple Vacations (VS). The subject parcels, within the Enterprise Jurisdiction, are located at the northeast corner of the Arville Street and Silverado Ranch Boulevard intersection. The proposed residential subdivision is approximately 16.73 gross acres with 160 single family residential dwelling units, resulting in a density of 9.56 dwelling units per gross acre.

**Vacation of Patent Easements and Right-of-Way**

This application proposes to vacate two patent easements that are no longer needed for the development of this project, along with vacating 5' of Arville Street and 5' of Silverado Ranch Boulevard in order to provide a detached sidewalk along those two right of way. All rights of way and easements for access and utilities required for this project will be granted and/or dedicated with the final subdivision map. An exhibit has been provided showing the proposed vacations along with supporting legal descriptions and exhibits along with the previously recorded Patent Easements and ROW Dedications.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Michael Fang, PE  
Project Manager

PLANNER  
COPY

ARVILLE AND GARY  
(TITLE 30)

ARVILLE ST/SILVERADO RANCH BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500129-ROOHANI KHUSROW FAMILY TRUST:**

**TENTATIVE MAP** consisting of 160 residential lots and common lots on 16.8 acres in an RUD (Residential Urban Density) Zone.

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

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RELATED INFORMATION:

**APN:**

177-19-801-017; 177-19-801-018; 177-19-802-022

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 16.8
- Number of Lots: 160
- Density (du/ac): 9.6
- Minimum/Maximum Lot Size (square feet): 3,030/4,797
- Project Type: Single family residential development
- Open Space Required/Provided (square feet): 32,000/25,467

The plans depict a single family residential development consisting of 160 lots on 16.8 acres with a density of 9.6 dwelling units per gross acre. The minimum and maximum lot sizes are 3,030 square feet and 4,797 square feet respectively. The primary ingress and egress to the proposed development is provided by the following: 1) a 43 foot wide east/west private street (Street A) connecting to Arville Street; 2) a 43 foot wide east/west private street (Street D) connecting to Hinson Street; and 3) a 43 foot wide north/south private street (Street C) connecting to Gary Avenue. Five foot wide attached sidewalks are provided on 1 side of the private streets, A through D, serving the interior of the development. Five foot wide detached sidewalks are provided along Arville Street and Silverado Ranch Boulevard, and 5 foot wide attached sidewalks are provided along Gary Avenue and Hinson Street, per Code requirements. The proposed development requires 32,000 square feet of open space where 25,467 square feet of open space is provided. The open space area (Common Element A) is centrally located within the project site dividing 2 rows of residences, Lot 142 through Lot 160 and Lot 121 through Lot

141. The open space area measures a minimum of 25 feet in width with a linear length of 669 feet. An open space area measuring 2,739 square feet is located immediately to the west of Lot 142 and adjacent to private treet B.

**Landscaping**

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, adjacent to Arville Street and Silverado Ranch Boulevard. Twenty-four inch box trees planted 20 feet on center, including shrubs and groundcover, are located within the street landscape area. The proposed development requires 32,000 square feet of open space where 25,467 square feet of open space is provided.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-E, R-2, & R-3	Undeveloped & single family residential
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Business Employment & Public Use	C-2 & P-F	Armory

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-22-0381	A nonconforming zone change to reclassify 16.8 acres from an R-E to an RUD zone for a single family residential development is a companion item on this agenda.
VS-22-0382	A request to vacate right-of-way and patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30. Approval of this request is contingent upon approval of NZC-22-0381. However, since staff is not supporting NZC-22-0381, staff cannot support this request.

**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**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on September 21, 2022 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

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

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Gary Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Boulevard improvement project;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easement for the Silverado Ranch Detention Basin improvement project;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on the north side of Silverado Ranch Boulevard as close as practical to the west side of Hinson Street in accordance with RTC standards.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**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 #0006-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRISTA BILBREY**

**CONTACT: WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST, BOSTON, MA 02116**



# TENTATIVE MAP APPLICATION 8A

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

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500129</u>	DATE FILED: <u>6/22/22</u>
		PLANNER ASSIGNED: <u>MNO</u>	TAB/CAC DATE: <u>7/27/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>ENTERPRISE</u>	PC MEETING DATE: <u>8/16/22 @ 7:00 P.M.</u>
		BCC MEETING DATE: <u>9/21/22 @ 9:00 A.M.</u>	<u>@ 6:00 PM</u>
		FEE: <u>\$750.00</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Khusrow Roohani Family Trust</u>
	ADDRESS: <u>9500 Hillwood Drive, Suite 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-823-4919</u> CELL: _____
	E-MAIL: _____

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

<b>CORRESPONDENT</b>	NAME: <u>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 #: <u>132024</u>

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-017 & 177-19-802-022 & 177-19-801-018

PROPERTY ADDRESS and/or CROSS STREETS: Gary Avenue and Arville Street

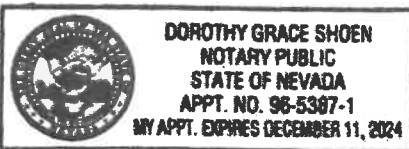
TENTATIVE MAP NAME: Arville Gary

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

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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1-31-22 (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.



08/16/22 PC AGENDA SHEET

PATIO COVER SETBACK  
(TITLE 29)

FONSECA DR/ZAGAROLO LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0369-SAH FAMILY TRUST & HESTER-HARPER PATRICE A, ET AL:

USE PERMIT to reduce the rear setback of a proposed patio cover in conjunction with a single family residence on 0.2 acres in an R-3 (Multiple Family Residential) Zone within the Southern Highlands Master Planned Community.

Generally located on the west side of Zagarolo Lane, 68 feet north of Fonseca Drive, and northeast of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action)

**RELATED INFORMATION:**

**APN:**

191-05-213-042

**USE PERMIT:**

Reduce the rear setback of a proposed rear patio cover to 5 feet where 10 feet is required per the Southern Highlands Modified Residential Development Standards (a 50% decrease).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 11539 Zagarolo Lane
- Site Acreage: 0.2
- Project Type: Rear setback reduction for a proposed rear patio cover
- Number of Stories: 2
- Building Height (feet): 9 (proposed rear patio cover)
- Square Feet: 437 (proposed patio cover)

**Site Plan**

The site plan depicts an existing single family residence on 0.2 acres within the Southern Highlands Master Planned Community. The residence faces east toward Zagarolo Lane. The applicant is proposing to install an attached rear patio cover on the southwest corner of the residence. The request is to reduce the rear setback to 5 feet where 10 feet is required for patio covers.

Landscaping

The residence has existing landscaping within the front and rear yards. No additional landscaping is required nor a part of this request.

Elevations

The applicant is proposing to construct an attached patio cover with an overall height of 9 feet. The proposed patio cover will be attached to the existing 2 story residence. The exterior material color palette will match the existing residence and will be constructed of engineered aluma-wood.

Applicant's Justification

Per the applicant's justification letter, the request is to reduce the rear setback for the existing residence located at 11539 Zagarolo Lane. The request is to reduce the setback from 10 feet to 5 feet to accommodate a patio cover per the designed plans. There are active building permits with the Clark County Building Department (BD22-20351) and approval from the Southern Highlands Homeowner's Association (HOA).

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-0119-04	Increased the height of an access gate to 12 feet, and allowed the pedestrian access gate height to 13 feet	Approved by PC	March 2004
TM-0486-02	44 single family residential lots and 5 common elements	Approved by PC	January 2003
UC-1148-02	Allowed modified development standards for reduced rear setback to 10 feet where 20 feet is required and reduced corner side setback to 10 feet where 15 feet is required	Approved by PC	September 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-3	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-3	Southern Highlands Preparatory School & single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

## **Analysis**

### **Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 29 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 the setback reduction does not pose a negative impact to the residence or the neighbors to the west, north, and south. As long as the applicant completes the building permit process (BD22-20351), 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 29, and/or the Nevada Revised Statute

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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: CUSTOM OUTDOOR LIVING, INC.**

**CONTACT: CUSTOM OUTDOOR LIVING, INC, 7200 S. MONTESSOURI ST, SUITE #110, LAS VEGAS, NV 89113**







# LAND USE APPLICATION 9A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input 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 checked="" type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: _____ DATE FILED: _____</p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: _____ TAB/CAC DATE: _____</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: _____</p> <p>FEE: _____</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Patrice Hester-Harper</u></p> <p>ADDRESS: <u>11539 Zagarolo Ln</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u></p> <p>TELEPHONE: _____ CELL: <u>702-428-6963</u></p> <p>E-MAIL: <u>hester.patrice@gmail.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Nicole Skinner (Custom Outdoor Living)</u></p> <p>ADDRESS: <u>7200 S Montessorul St #110</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u></p> <p>TELEPHONE: <u>702-614-7650</u> CELL: _____</p> <p>E-MAIL: <u>nicole@customoutdoorliving.net</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Nicole Skinner</u></p> <p>ADDRESS: <u>7200 S Montessori St #110</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u></p> <p>TELEPHONE: <u>706-614-7650</u> CELL: _____</p> <p>E-MAIL: <u>nicole@customoutdoorliving.net</u> REF CONTACT ID #: _____</p>

**ASSESSOR'S PARCEL NUMBER(S):** 19105213042

**PROPERTY ADDRESS and/or CROSS STREETS:** 11539 Zagarolo Ln, Las Vegas, NV, 89141

**PROJECT DESCRIPTION:** Construct attached solid aluminum patio cover, reduce rear setback from 10' to 5'

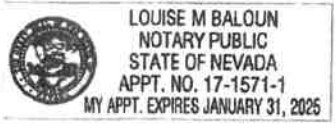
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Patrice Hester-Harper PATRICE HESTER-HARPER  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF NV  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5/17/22 (DATE)  
 By Patrice Hester-Harper

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

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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 checked="" type="checkbox"/> APPLICATION REVIEW (AR) BD22-20351 (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	<b>PROPERTY OWNER</b>  NAME: Patrice Hester-Harper ADDRESS: 11539 Zagarolo Ln CITY: Las Vegas STATE: NV ZIP: 89141 TELEPHONE: _____ CELL: 702-428-6963 E-MAIL: hester.patrice@gmail.com
	<b>APPLICANT</b>  NAME: Nicole Skinner (Custom Outdoor Living) ADDRESS: 7200 S Montessorui St #110 CITY: Las Vegas STATE: NV ZIP: 89113 TELEPHONE: 702-614-7650 CELL: _____ E-MAIL: nicole@customoutdoorliving.net REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: Nicole Skinner ADDRESS: 7200 S Montessorui St #110 CITY: Las Vegas STATE: NV ZIP: 89113 TELEPHONE: 706-614-7650 CELL: _____ E-MAIL: nicole@customoutdoorliving.net REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 19105213042

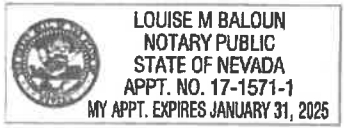
PROPERTY ADDRESS and/or CROSS STREETS: 11539 Zagarolo Ln, Las Vegas, NV, 89141

PROJECT DESCRIPTION: Construct attached solid aluminum patio cover, reduce rear setback from 10' to 5'

(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.

Patrice Hester-Harper PATRICE HESTER-HARPER  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF NV  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 5/17/22 (DATE)  
 By Patrice Hester-Harper  
 NOTARY PUBLIC: Louise M Baloun



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



Date: May 17, 2022

Regarding: Justification letter

UC-22 0369

To Whom it May Concern,

I am writing this justification letter to request that the rear setback at 11539 Zagarolo Ln, Las Vegas, NV, 89141 be reduced from 10' to 5' to accommodate a patio cover per the designed plans. We currently have a permit BD22-20351 that is awaiting corrections for this issue. We also have a letter from Southern Highlands HOA that approves of the reduction in setback.

Regards,

Nicole Skinner

Operations Manager





Date: May 17, 2022

Regarding: Justification letter

To Whom it May Concern,

I am writing this justification letter to request that the rear setback at 11539 Zagarolo Ln, Las Vegas, NV, 89141 be reduced from 10' to 5' to accommodate a patio cover per the designed plans. We currently have a permit BD22-20351 that is awaiting corrections for this issue. We also have a letter from Southern Highlands HOA that approves of the reduction in setback.

Regards,

Nicole Skinner

Operations Manager

**SOUTHERN HIGHLANDS COMMUNITY ASSOCIATION**  
11411 Southern Highlands Pkwy, Ste 100  
Las Vegas, NV 89141

May 6, 2022

Patricia Hester Patrice Hester-Harper  
11539 Zagarolo Ln  
Las Vegas, NV 89141

RE: Architectural Submittal for 11539 Zagarolo Ln  
Account#: 77072

Dear Homeowner,

The Reviewer for SOUTHERN HIGHLANDS COMMUNITY ASSOCIATION has reviewed and **APPROVED** your architectural submittal for a PATIO COVER (W/ MEDIA WALL, OUTDOOR KITCHEN/BBQ); SIDE PROPERTY WALLS HEIGHT INCREASE; AND STUCCO REAR YARD WALLS per the application and plans submitted with the following allowance:

- A reduced 5-foot setback for the patio cover/pergola structure.

**All construction must commence within 120 days of this approval letter. If construction has not been commenced within the 120 days, such approval shall be deemed withdrawn. Once construction is commenced, all work shall be completed within 180 days of commencement. Please be advised, if the property is within a sub-association you may be required to submit an architectural application to your sub-association for approval. This association does not send a copy of this notice of approval to any sub-association.**

Your patience and cooperation with the architectural review process is appreciated.

If you have any questions, please contact the association at 702-361-6640 or e-mail [designreview@olympiacompanies.com](mailto:designreview@olympiacompanies.com).

Sincerely,

Agent for the Architectural Review Committee  
and the Board of Directors for SOUTHERN HIGHLANDS COMMUNITY ASSOCIATION

*ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building ordinances, or other governmental agency regulations or restrictions. The ARC shall not be responsible for reviewing, nor shall its approval of any plans or design, be deemed approved from the standpoint of structural safety or conformance with building or other codes. By approving such plans and specifications, neither the ARC, the Members thereof, the Association, any Member thereof, their Board of Directors, any Members thereof, or the Declarant assumes any liability or responsibility therefore or for any defect in the construction or improvement from such plans or specifications. As provided in the CC&R's neither the ARC, the Association, the Board of Directors or the Association or any Members thereof, not the Declarant or Developer shall be liable to any Member, Owner, Occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (1) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (2) the construction or performance of any work whether or not pursuant to the approved plans, drawings, or specifications.*

08/16/22 PC AGENDA SHEET

COMMERCIAL DEVELOPMENT  
(TITLE 30)

BLUE DIAMOND RD/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0371-SDMIBD, LLC:

USE PERMITS for the following: 1) restaurant; and 2) retail use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscaping; and 2) reduce throat depth.

DESIGN REVIEWS for the following: 1) lighting; 2) signage; and 3) proposed commercial building in conjunction with an existing commercial complex on 2.7 acres in an H-2 (General Highway Frontage) Zone.

Generally located on the south side of Blue Diamond Road and the west side of Lindell Road within Enterprise. JJ/jor/tk (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-13-401-021; 176-24-101-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the landscaping adjacent to Blue Diamond Road to 10 feet where 15 feet is required per Section 30.64.030 (a 33% decrease).
2. Reduce the driveway throat depth to 73 feet, 2 inches where 100 feet is required per Uniform Standard Drawing 222.1 (a 27% decrease).

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8945 Lindell Road
- Site Acreage: 2.7
- Project Type: Commercial complex
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 5,062
- Parking Required/Provided: 41/48 (new restaurant and retail building)/65 (parking provided adjacent to the medical office building to the south)

### History & Site Plan

The southern portion of APN 176-24-101-003 was developed as a medical office (Steinberg Diagnostic) via UC-19-0248. Today, the applicant is developing the northern portion of this parcel and the development includes the addition of a proposed retail and restaurant building on APN 176-13-401-021. The site is located on the south side of Blue Diamond Road, and the west side of Lindell Road. Access to the site is via an existing shared commercial driveway adjacent to Lindell Road. The proposed development includes drive aisles along the north portion of the site which lead to 48 additional parking spaces (in addition to the 65 parking spaces to the southern portion of the site). The proposed restaurant/retail building is located on the northeast corner of the site and includes 1 drive-thru lane. The proposed building will be set back 22 feet from the north property line (adjacent to Blue Diamond Road), 40 feet from the east property line (adjacent to Lindell Road), 150 feet from the medical building to the south, and 149 feet from the property line to the west. The site plan also includes cross-access to future development to the west.

The applicant is requesting use permits to allow a restaurant and retail use in an H-2 Zone. Secondly the applicant is requesting to reduce the proposed landscaping along the north property line to 10 feet where 15 feet is required when adjacent to an existing attached sidewalk, and to reduce the driveway throat depth adjacent to Lindell Road. The design review requests are for additional signage on-site, proposed lighting, and a design review of the entire project.

### Landscaping

The landscape plan shows 24 inch box trees, shrubs, and groundcover along the north property line spaced every 30 feet. This landscape strip should be 15 feet wide since there is an existing attached sidewalk adjacent to Blue Diamond Road. Since the applicant is only providing a 10 foot wide landscape strip, a waiver of development standards request is required. The landscape plan also shows parking lot landscaping, additional trees and shrubs to be planted along the west property line and adjacent to the restaurant/retail building, and a 10 foot to 40 foot wide landscape planter along the east property line adjacent to Lindell Road.

### Elevations

The elevation plans show the overall height of the proposed restaurant/retail building at 23 feet. The proposed exterior materials include decorative stacked stone veneer, exterior insulation and finish (EIF) systems, and aluminum storefront window and door systems.

### Floor Plan

The submitted floor plan includes 1 proposed commercial building with the potential to have 1 restaurant lease space on the northern portion of the building (overall area is 3,280 square feet). The proposed restaurant area also includes a drive-thru pick-up window. The drive-thru is located on the southernmost corner the building and heads north around the perimeter of the building. Customers will exit on the west side of the building. The southern portion of the building is for future retail use and has an overall area of 1,782 square feet.



Signage

The sign plan includes a freestanding sign to be installed on the northeast corner of the site, set back 10 feet from the north property line. The proposed freestanding sign has an overall height of 28 feet, with exterior materials to match the buildings on-site. The overall area of the proposed freestanding sign is 143 square feet, and the cabinet area will be internally illuminated with LED lighting. Any proposed wall signs on the building elevations will meet Title 30 standards and will be internally illuminated and will not flash or include any marquee style signage.

Lighting

Per the applicant, the proposed lighting will match what was already installed on the southern portion of the overall development. The submitted lighting specification sheet matches lighting that was approved via DR-21-0444.

Applicant's Justification

Per the applicant's justification letter, the overall site (both parcels) will eventually contain 2 multiple tenant buildings, and the proposed building that is a part of this application will include a drive-thru lane. The proposed building footprint is anticipated to have a quick serve restaurant and a retail lease space; hence the use permit requests to allow restaurant and retail uses in an H-2 zone. The proposed building meets Title 30 standards for building height and setbacks. The vehicular access to the site will be via a 39 foot wide common driveway from Lindell Road. Both uses shown are parked over Code minimum and provide ample on-site movement/circulation. The applicant will record the property with a cross-access agreement for parking. The project will incorporate many design features harmonious and complimentary to the existing project to the south and will allude a desert appropriate color palette. Building signage shall not exceed the maximum standards/Code regulations delineated in Title 30. As a burgeoning residential and commercial area, the scale and amount of lighting will be appropriate and complimentary to the area. Site lighting specification is included with this submittal to match the adjacent development to the south to create a cohesive look. All lighting shall comply with zoning standards and shall be shielded to prevent any light pollution for infiltrating into residential areas. This project will in-fill a vacant swath on a stretch of Blue Diamond Road. The request to reduce the landscape strip to 10 feet adjacent to an existing attached sidewalk is warranted since there is an additional 20 feet of right-of-way which separates the proposed landscaping and the existing sidewalk. The request to reduce the driveway throat depth to 73 feet is also warranted since the throat depth on the southern portion of the driveway was previously approved at 33 feet, 4 inches. This proposed project will serve as a synergistic use and provide additional retail and food options/services on eastbound Blue Diamond Road as well as to the immediate surrounding residential uses.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-21-0444	Lighting and signage	Approved by BCC	October 2021

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-19-0269	Vacated and abandoned Clark County patent easements located between Blue Diamond Road and Raven Avenue	Approved by PC	May 2019
UC-19-0248	Allowed offices as a principal use on a portion of 2.2 acres in an H-2 zone	Approved by PC	May 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Industrial development
South	Residential Low (up to 5 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood & Mid-Intensity Suburban Neighborhood (from 2 du/ac up to 8 du/ac)	R-E (RNP-1) & R-2	Undeveloped & single family residential
West	Neighborhood Commercial	C-1	Undeveloped

\*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**

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. Staff finds that the proposed restaurant and retail use is appropriate for the site. Blue Diamond Road is a main thoroughfare and commercial development is commonly found along Blue Diamond Road due to its accessibility. Today, there are similar restaurants, retail buildings, and shopping centers that currently exist along Blue Diamond Road. The addition of the restaurant and retail use supports Policy EN-1.1: Neighborhood Integrity which states, in part, that development should “preserve the integrity of contiguous and uniform neighborhoods through development regulations that encourage compatible in-fill development and standards for transitioning from higher intensity uses.”

### Waivers of Development Standards

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

### Waiver of Development Standards #1

Staff does not typically support a reduction in landscaping from 15 feet to 10 feet adjacent to an attached sidewalk. However, in this case, staff can support the applicant's request. The site is adjacent to Blue Diamond Road (along the north property line). The attached sidewalk is over 20 feet north of the proposed landscaping. The proposed 10 foot wide landscape area provides a visual and physical barrier adjacent to 20 feet of additional right-of-way which is owned and maintained by the Nevada Department of Transportation (NDOT). The landscape plan depicts a sufficient amount of landscaping throughout the site, which mitigates the landscape reduction; therefore, staff can support this request.

### Design Review #1

Since the applicant provided the same type of lighting that was already approved for the southern portion of the site, staff can also support the proposed lighting as a part of this application. The proposed lighting will be shielded and only impact the site internally and not the residences to the east.

### Design Review #2

The allowable area of the signage with 270 linear feet of frontage along Lindell Road at 1.25 square feet per linear foot of street frontage is 338 square feet. Staff finds that the proposed signage meets Title 30 standards in terms of height, setbacks, and overall design. Staff finds the proposed signage to be harmonious to the site and should not negatively impact the residences to the east.

### Design Review #3

The overall site design shows ample vehicular circulation, parking spaces, cross-access to the west, and the overall building design is harmonious to the medical building to the south. Since staff supports all 3 proposed design reviews, the use permits, and waiver of development standards #1, staff can also support this request.

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

#### Waiver of Development Standards #2

Staff has no objection to the reduced throat depth for the existing driveway on Lindell Road. The reduction should not cause conflicts within the site. This site will have shared driveways with the property to the west, which could help mitigate potential impacts from the reduced throat depth.

### **Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the 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 40 feet for Lindell Road and associated spandrel;
- Vacate any unnecessary rights-of-way and/or easements.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0252-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** DARRYLL BRANDWINE  
**CONTACT:** SDMIBD, LLC, 2767 N TENAYA, LAS VEGAS, NV 89128



# LAND USE APPLICATION 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> <b>USE PERMIT (UC)</b> <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>UC/WS/DR-22-0371</u> DATE FILED: <u>6/16/22</u> PLANNER ASSIGNED: <u>JRE</u> TAB/CAC: <u>ENT.</u> TAB/CAC DATE: <u>7/27/22</u> PC MEETING DATE: <u>8/16/22</u> BCC MEETING DATE: _____ FEE: <u>\$ 1825.00</u>
	<b>PROPERTY OWNER</b>	NAME: <u>SDMIBD LLC</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: <u>702-595-3388</u> CELL: _____ E-MAIL: <u>davids@sdmi-lv.com</u>
	<b>APPLICANT</b>	NAME: <u>FORZA Design Group</u> ADDRESS: <u>10801 W. Charleston Blvd., Suite 530</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-460-8891</u> CELL: _____ E-MAIL: <u>darryll@forza-lv.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Same as Applicant</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17624101003 & 17613401021

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond Road and Lindell

PROJECT DESCRIPTION: Ground up, In-Line Retail Building with Drive-Thru, approximately 5,000 SF

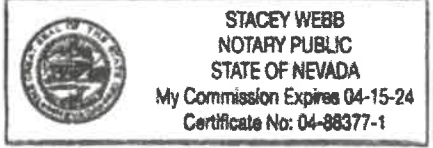
(I, We) the undersigned swear and say that: (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

DAVID L. STEINBERG TRUSTEE  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 12, 2022 (DATE)  
 By David L. Steinberg

NOTARY PUBLIC: Stacey Webb



\*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.



UC-22-0371

Date: May 16, 2022  
 Project Address: NWC of Blue Diamond Road and Lindell Road  
 Las Vegas, NV 89139  
 APN#: Overall APN# 's: 176-13-401-021 & a portion of 176-24-101-003  
 Current Zoning: Clark County, General Highway Frontage / H-2  
 Planned Land Use: Neighborhood Commercial (NC)  
 Project Name: SDMI Retail  
 RE: Justification Letter for Design Review  
 Ownership Entity: S D M I B D L L C

To Whom It May Concern:

**General Overview**

Our applicant, S D M I B D L L C, c/o Dr. David Steinberg, is proposing to develop a new "ground-up" multi-tenant building on vacant land at the NWC of Blue Diamond Road and Lindell Road. Once the multiple parcels listed above are combined, the project will rest on a land mass of +/- 1.28 acres (55,552 SF) dimensioned approximately by two-hundred-fourteen (329') linear feet fronting Blue Diamond Road (northern border in the East-West Direction), and two-hundred-nine feet (270') along Lindell going South. The site will contain a multi-tenant building with a drive-thru lane. The proposed building footprint is 5,062 SF and is anticipated to contain a mix of quick serve restaurant (3,280 SF) tenants and retail tenants (1,782 SF). The approximate footprint of the subject building is 5,062 sf and tallest building element at 23'-0".

**Vehicular Access/Parking**

The vehicular access to the site will be via a 39'-0" wide common driveway off Lindell Road. This access will be a shared driveway with SDMI to the south of which the Applicant is also the Owner. Both ingress and egress provide ample movement and cross-traffic flows. Assuming a mixture of retail and food users in the proposed multi-tenant building and existing SDMI, both uses shown are parked over code minimum and provide ample on-site movement/circulation. The applicant will record the property with a cross access agreement for parking. Compliant accessible parking has been provided. The site design incorporates an on-site stacking/queuing line of 13 cars, exceeding code minimum. All parking stalls are a minimum of 9'-0" wide by 18'-0" and a loading zone has been provided per code.

**Design Elements**

The project will incorporate many design features harmonious and complimentary to the existing SDMI project to the South and will allude a desert appropriate color palette. Other elements include but are not limited to, light reflective roofs, warm and harmonious finish selections, storefront glass with aluminum frames, stone veneer, EIFS, water efficient / desert sensitive landscaping. The trash enclosures shall be constructed with split face block and steel trellis covering.

### **Building Signage**

The project Applicant is desirous of incorporating signage based on final tenant count to the possibility of three (3) tenants. Building Signage shall not to exceed the maximum standards/code-regulations delineated in Title 30. The signs will be backlit or internally illuminated in nature and will not flash or "run" as marquis lights. Simply, a soft illumination is what is being envisioned and requested. As a burgeoning residential and commercial area, we believe that the scale and amount of lighting will be appropriate and complimentary to the area.

### **Pylon Signage**

An illuminated double face freestanding pylon sign is to be included with this submittal. The sign has a maximum height, when including the two supports, of 28'-0" and a maximum width of 10'-0". The overall area of the signage is 143.98 SF. The allowable area of the signage with 270 linear feet of frontage along Lindell Rd. at 1.25 SF per linear foot of street frontage is 338 SF. The materials & colors of the sign have been chosen to compliment the architecture of the principal building on site. The location of the sign is set back 10'-0" from the closest property line at Blue Diamond Rd. Both the lettering of the main sign as well as the tenant cabinets are internally illuminated with white LEDs.

### **Summary**

This project will infill a vacant swath in a stretch of the Blue Diamond Corridor. The subject parcel(s) as of this date, remains the undeveloped however is part of a larger planned commercial development joining the existing SDMI project to the south. Additionally, there is a planned, independent development immediately to the west of our proposed project (not a part) that will eventually provide for future site connectivity between the two sites.

It is our opinion that this project will serve as a synergistic use and provide additional retail and food options/services on eastbound Blue Diamond Road as well as to the immediate surrounding residential uses. All landscape setbacks are met in accordance with Zoning Regulations (preliminary Landscape Plan included in this submittal for review and comment).

### **Applicant Requests:**

1. **Design Review** for the overall development capturing parcels 176-13-401-021 & a portion of 176-24-101-003
2. Review of proposed monument sign
3. Review of cross access parking with the SDMI parcel to the South
4. **Use Permit** to allow restaurant/retail uses in an H-2
5. **Landscape Waiver from Standard**. 10'-0" where 15' is required. As the site exists today, there is a Right-of Way in excess of 20'-0" between the back of sidewalk and the proposed landscaping behind the property line. If the right-of-way were improved by the County, the code condition would exist with a newly relocated back of sidewalk against the property line and 10'-0" of landscaping per Title 30.
6. **Waiver of Standard from Throat Depth Requirement of 100'-0"**. SDMI to the south was approved with a 33'-4" throat depth prior to proposed subject as well as the commercial driveway. We propose a throat dept of 73'-2" for the new commercial development to the north. This driveway will serve both developments.

Thank you for your consideration of our project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darryll Brandwine". The signature is fluid and cursive, with a horizontal line extending from the end.

Darryll Brandwine, Design Director  
Managing Partner  
FORZA Design Group  
10801 West Charleston Blvd. – Suite 530  
Las Vegas, NV 89135



RIGHT-OF-WAY & EASEMENTS  
(TITLE 30)

DEAN MARTIN DR/WIGWAM AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-22-400088 (VS-20-0090)-YORK RANCH, LLC:

**FIRST EXTENSION OF TIME TO VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Dean Martin Drive and I-15; a portion of a right-of-way being Dean Martin Drive located between Wigwam Avenue and Ford Avenue; and a portion of right-of-way being Wigwam Avenue located between Dean Martin Drive and I-15 within Enterprise (description on file). JJ/sr/tk (For possible action)

RELATED INFORMATION:

APN:

177-17-304-003

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

**Project Description**

The first part of the request is to vacate a 60 foot wide easement as acquired by Clark County in a resolution relative to acquisition of right-of-way by document number 642:601824, that bisects the project site. The applicant originally stated that the Cougar Avenue street alignment is no longer needed due to the current site configuration and future development of the adjacent parcels. The second part of the request is to vacate a 5 foot wide portion of right-of-way being Dean Martin Drive and a 5 foot wide portion of right-of-way being Wigwam Avenue to accommodate the required detached sidewalks.

Previous Conditions of Approval

Listed below are the approved conditions for VS-20-0090:

Current Planning

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

**Public Works - Development Review**

- Right-of-way dedication to include a 40 foot property line radius at the northwest corner of the site and a 20 foot property line radius at the southwest 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.
- 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.

**Applicant's Justification**

The applicant is requesting an extension of time due to delays in the drainage review as it relates to the FEMA floodplain. Additionally, civil improvement plans and final map operations are not complete.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-20-0090	Vacated and abandoned a right-of-way easement and portions of rights-of-way along Dean Martin Drive and Wigwam Avenue	Approved by BCC	June 2020
ZC-20-0091	Reclassified from R-E and H-2 to M-D zoning for an office/retail/warehouse complex	Approved by BCC	June 2020
TM-20-500026	1 lot commercial subdivision	Approved by BCC	June 2020

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	R-E, H-2, C-1, & M-D	Undeveloped, office trailers with outside storage, office building, & outside storage
South	Business Employment	R-E, C-2, & H-2	Contractors yard, undeveloped, office trailer with outside storage, & undeveloped
East	Business Employment & Entertainment Mixed-Use	C-1, C-2, & H-1	I-15 & undeveloped
West	Ranch Estate Neighborhood (up to 2 dt/ac)	R-E (RNP-I)	Undeveloped & single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until June 3, 2024 to record.
- 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 re-approval by the utility companies will be required.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** YORK CONSOLIDATED INVESTMENTS, LLC

**CONTACT:** ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>ET-22-400088</u>	DATE FILED: <u>6/20/2022</u>
		PLANNER ASSIGNED: <u>JGH</u>	TAB/CAC DATE: <u>7/27/22</u>
<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): <u>VS20-0090</u>		TAB/CAC: <u>Enterprise</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8/17/22</u> FEE: <u>\$ 300</u>	

<b>PROPERTY OWNER</b>	NAME: <u>York Ranch, LLC</u> Contact: <u>Jay Heller</u>
	ADDRESS: <u>28348 Roadside Drive, Suite 103</u>
	CITY: <u>Agoura Hills</u> STATE: <u>CA</u> ZIP: <u>91301</u>
	TELEPHONE: <u>702-320-4400</u> CELL: _____
	E-MAIL: <u>Jay@HellerCompanies.com</u>

<b>APPLICANT</b>	NAME: <u>York Consolidated Investments, LLC</u> Contact: <u>Jay Heller</u>
	ADDRESS: <u>6280 South Valley View Boulevard, Suite 106</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-320-4400</u> CELL: _____
	E-MAIL: <u>Jay@HellerCompanies.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Actus</u> Contact: <u>Caitlin Cypher</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-17-304-003

PROPERTY ADDRESS and/or CROSS STREETS: Southeast corner of West Wigwam Ave & Dean Martin Dr

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)\*

Timothy York  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF \_\_\_\_\_  
SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
By \_\_\_\_\_  
NOTARY PUBLIC: \_\_\_\_\_

SEE ATTACHED

\*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.

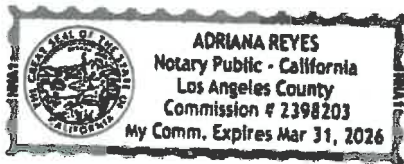
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**  
**CIVIL CODE § 1189**

State of California }  
 County of Los Angeles }  
 On 5/09/2022 before me, Adriana Reyes, Notary,  
Date Here Insert Name and Title of the Officer  
 personally appeared Timothy York  
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Place Notary Seal Above

Signature: [Handwritten Signature]  
Signature of Notary Public

**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**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: _____	Signer's Name: _____
<input type="checkbox"/> Corporate Officer — Title(s): _____	<input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

ET-22-400088

**PLANNER  
COPY**



3283 E. Warm Springs Road,  
Suite 300  
Las Vegas, NV 89120  
(702) 586-9296

June 16, 2022

Public Works  
Clark County  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**Re.: VS20-0090 (Dean Martin Business Center)  
Vacation**

**Subject: Request for Extension**

To whom it may concern,

On behalf of the property owner / developer, The Heller Companies, we respectfully request an extension of the vacation, VS20-0090. We are requesting an extension of two (2) years. This extension is being requested as there are delays in the drainage review for the project, as it relates to the FEMA flood plain. Civil Improvement Plans and Final Map operations are not complete.

We hope the above response satisfies any and all concerns. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in blue ink that reads 'David Logsdon II'.

David Logsdon II  
Principal





08/17/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 29)

SOUTHERN HIGHLANDS PKWY/  
ROBERT TRENT JONES LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0370-SOUTHERN HIGHLANDS GOLF CLUB:**

**USE PERMIT** to allow modified development standards.

**WAIVER** to allow a modified street section standard in conjunction with a proposed 5 lot single family residential development on a portion of 155.0 acres in an R-2 (Medium Density Residential) Zone within the Southern Highlands Master Planned Community.

Generally located on the north side of Robert Trent Jones Lane, 780 feet west of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action)

**RELATED INFORMATION:**

**APN:**

191-05-401-013; 191-06-701-006 ptn

**USE PERMIT:**

1. a. Increase the retaining wall height to 12 feet with a 7 foot high fence where a 3 foot high retaining wall and 6 foot screen wall is allowed.
- b. Reduce the front setback (living area) to 10 feet where 20 feet is allowed (a 50% decrease).

**WAIVER:**

Increase the modified street section to 30 feet where 24 feet is the standard (a 25% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 1 Robert Trent Jones Lane
- Site Acreage: 155 (portion)
- Number of Lots: 5 (single family residential lots)/1 (existing golf course to remain)
- Density (du/ac): 3
- Minimum/Maximum Lot Size (square feet): 9,343 (Lot 1)/11,539 (Lot 5)
- Project Type: 5 single family custom residential lots and 1 existing golf course to remain

### Site Plan

The site plan shows an existing golf course on 155 acres located within the Southern Highlands Golf Club. The applicant is proposing to add 5 single family residential lots on the north side of Robert Trent Jones Lane, southeast of the Southern Highland's Golf Course clubhouse. The remainder of the golf course will remain as is. Access to the residences will be from Robert Trent Jones Lane and the proposed 5 homes are semi-custom homes.

The applicant is requesting a use permit to allow modified standards to increase the proposed retaining wall heights to 12 feet with a 7 foot fence along the north property lines of Lots 1 through 5, and on the west side of Lot 5, and the east side of Lot 1. Furthermore, the applicant is requesting to allow modified residential standards to reduce front yard livable areas to 10 feet with a minimum of 20 foot setbacks for garages.

In addition, the applicant is requesting a waiver for modified street standards. Today, Robert Trent Jones Lane is currently 24 feet wide. Per the plans, the proposed street section will be 30 feet of drivable surface with an 18 foot ribbon on 1 side and a 30 inch roll curb on the other side.

### Applicant's Justification

Per the applicant's justification letter, the request for the use permit for modified standards for the increased wall heights is needed for the topographical differences that exist between the front and rear of the lots. Additionally, similar use permits have been approved throughout Southern Highlands custom lot areas (UC-0370-14) with 19 foot walls, 12 foot retaining walls, and 7 foot high fences. This request is the same, to accommodate up to 2 tiered 12 foot high retaining walls with a 7 foot iron fence on top of the retaining wall. There will be a 10 foot to 12 foot off-set between the tiered retaining walls. There is over 30 feet of grade difference that necessitates the retaining walls. The use permit request for modified standards also requests a reduction to 10 feet for front yard livable areas with a minimum of a 20 foot setback for garages.

Upon meeting with Clark County Public Works and the Clark County Fire Department (CCFD) following the initial submittal of this application, the applicant is requesting a modified street section at the location of the planned lots. The waiver for modified street standards is for the existing, previously approved street (Robert Trent Jones Lane). The street is presently 24 feet in width. The proposed street section is now 30 feet of drivable surface with 18 feet of ribbon on 1 side and a 30 inch roll curb on the other side. The 24 foot wide street has functioned without issue since the private golf course opened over 20 years ago. Southern Highlands Golf Club has hosted PGA Tournament events, the annual Governor's Black Tie Golf Tournament Charity Event, as well as major NCAA Collegiate events. All of these events are high profile, well attended events and there has never been any access and/or traffic issues. The golf course will also have complete concierge type services available for the 5 lots that will accommodate events and required servicing for the 5 homes to ensure no parking occurs on the street at any time. The addition of 5 lots will not adversely impact the site, and the additional 6 feet as requested by CCFD should provide sufficient service.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0274-08	Modified residential standards on 700 acres in an R-2, R-3, C-2, and H-1 zoning	Approved by PC	May 2008
UC-0075-07	Modified development standards within common element lots such as signs, guardhouses, gazebos, recreation and community facilities, fences, walls, and similar structures and uses on 490 acres in R-2 zoning	Approved by PC	February 2007
ZC-1536-05	Reclassified 356 acres from R-E to R-2 zoning for a Comprehensive Master Planned Community (Southern Highlands), use permit for modified residential development standards, variances to waive the required setbacks from section and center section lines, and waived the required setbacks from township and range lines	Approved by BCC	December 2005
ZC-1604-99	Reclassified the site to C-2 and R-2 zoning which was a part of a mixed-use zone change request for the Southern Highlands Master Planned Community and included a use permit for modified residential development standards which included, but are not limited to, amended setbacks, building heights, separations, and street sections	Approved by BCC	December 1999

\*Additional land use applications have been approved for this site and the surrounding areas of Southern Highlands.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-2	Southern Highlands Golf Course & single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	C-2	Southern Highlands Golf Clubhouse

**Related Applications**

Application Number	Request
TM-22-500121	A tentative map for 6 lots (5 single family residential lots, 1 existing golf course lot) 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 29.

### **Analysis**

#### **Current Planning**

The 5 proposed single family custom residential lots should minimally impact the existing homes throughout this master planned community and the remainder of the golf course. The increase in retaining wall height and fence height is necessary since there are existing undulating heights in topography on the golf course itself. Modifying the front setback (livable area) allows for a variety of custom home products with different architectural designs that are still compatible to the existing single family residential development within Southern Highlands; therefore, staff supports this request.

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

##### Waiver

Staff can support the request for modified street standards provided that the Fire Department approves 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 29, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Until March 2, 2024 to complete, to coincide with expiration of the Development Agreement.
- 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;
- Clark County Fire Prevention approval of the modified street section.

#### **Fire Prevention Bureau**

- No comment.

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

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

#0253-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** SOUTHERN HIGHLANDS GOLF CLUB  
**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST., BOSTON,  
MA 02116





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC 22-0370</u> PLANNER ASSIGNED: <u>JOK</u> TAB/CAC: <u>ENTERPRISE</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8/17/22</u> FEE: <u>\$675</u>	DATE FILED: <u>6/16/22</u>  TAB/CAC DATE: <u>7/27/22</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Southern Highlands Golf Club</u> ADDRESS: <u>1 Robert Trent Jones Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>702-263-1000</u> CELL: _____ E-MAIL: <u>carmstrong@olympiacompanies.com</u>	
	<b>APPLICANT</b>  NAME: <u>Southern Highlands Golf Club</u> ADDRESS: <u>1 Robert Trent Jones Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>702-263-1000</u> CELL: _____ E-MAIL: <u>carmstrong@olympiacompanies.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>  NAME: <u>Westwood Professional Services - Roxanne Leigh</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>702-264-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 191-06-701-006 & 191-05-401-013

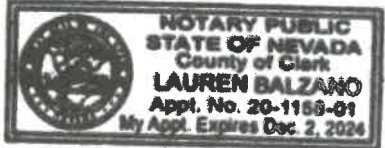
PROPERTY ADDRESS and/or CROSS STREETS: Robert Trent Jones / Oakland Hills Dr.

PROJECT DESCRIPTION: SHGC Lots

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

[Signature] Property Owner (Signature)\*      Garry V. Goett Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON April 25, 2022 (DATE)  
 By Lauren Balzano  
 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.

June 15, 2022

Jillee Rowland  
Clark County Development Services  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

UC-22-0370

RE: Supplemental Justification Letter –Golf Course Lots APN: 191-06-701-006, 191-05-401-013

Dear Jillee,

In support of the letter submitted April 27, 2022, we would like to provide some additional details on the project.

This proposed project is located within the Southern Highlands Master Planned community, and more specifically located within the Estates Community, which is part of a 24-hour guard-gated subdivision. The golf course is a private golf club with no access permitted from the general public, unless invited by a member. There are a total of approximately 400 golf members of which 275 live locally either full-time or seasonally, while the others live outside of Las Vegas. The access drive/road (Robert Trent Jones Lane) that provides access to the golf course has very limited use and only to members or member's guests. The addition of five lots will not have any significant impact on traffic.

The waiver for modified streets is for the existing, previously approved street (Robert Trent Jones Lane). The street is presently 24' in width. Upon meeting with Clark County Public Works, and Clark County Fire following the initial submittal of this application, we are requesting a modified street section at the location of the planned lots. The proposed street section is now 30' of drivable surface with 18' ribbon on one side and 30" roll curb on the other side. The 24' street has functioned without issue since the private golf course opened over 20 years ago. Southern Highlands Golf Club has hosted PGA Tournament events, the annual Governor's Black Tie Golf Tournament Charity Event, as well as major NCAA Collegiate events. All of these events are high profile, well attended events and there have never been any access and/or traffic issues. The golf course will also have complete concierge type services available for the 5 lots that will accommodate events and required servicing for the five homes to ensure no parking occurs on the street at any time. The addition of five lots will not adversely impact the site, and the additional 6' as requested by CCFD should provide sufficient service.

There will be a total of six lots on the Tentative Map, of which five are single family detached lots located along an existing fairway of the golf course, while the remaining lot will be the remnant golf course parcel. The zoning of the golf course area is R-2, which, per the approved modified standards would allow for up to 10 du/ac under ZC-1604-99 (and the approved modified standards). The proposed project has lots at approximately 10,000 SF +/- located within the R-2 zoning area. This project was originally approved under Title 29 and has a locked in zoning code with the ability to propose modified standards through the use permit process. Below are the proposed modified standards requested with the Use Permit application.





2525 W. Horizon Ridge Parkway, Suite 230,  
Henderson, NV 89052  
Tel.: (702) 719-2020 Fax: (702) 269-9673  
Gary L. Carlson, Architect (License No. 1859)  
Sheldon Colen, Architect (License No. 7701)

May 23, 2022

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

UC-22-0377

**RE: Justification Letter for a proposed shopping center at W. Cactus Ave. and S. Rainbow Blvd.**

Please accept this letter as justification for the proposed construction of a new c-store with gas station and car wash, quick serve restaurant, and retail building located at the southwest corner of W. Cactus Ave and S. Rainbow Blvd. (APN: 176-34-501-008) currently zoned as General Commercial (C-2). Through this design review, we respectfully ask for your approval of the Special Use Permits and of the following waivers of development standards:

- 1) Request for Convenience Store Special Use in C-2 #5, for a building setback of +/- 24'-3" to the west from any residential use where 200 feet is required. Providing the 200-foot setback would impact the flow of traffic within the site. There is a vacant parcel that serves as a buffer between our property and the residential uses to the west. To help mitigate this request, we are providing a 7'-5" landscape buffer along the west property line with buffer trees at 15'-0" on center.
- 2) Request for Vehicle Wash Special Use in C-2 #1, for a building setback of +/- 35'-3" to the west from any residential use where 200 feet is required. Providing the 200-foot setback would impact the flow of traffic within the site. There is a vacant parcel that serves as a buffer between our property and the residential uses to the west. To help mitigate this request, we are providing a 7'-5" landscape buffer along the west property line with buffer trees at 15'-0" on center where 20'-0" on center is required.
- 3) Request for Gasoline Station Special Use in C-2 #4, for a canopy setback of +/- 157'-6" to the west from any residential use where 200 feet is required. Providing the 200-foot setback would impact the flow of traffic within the site. There is a vacant parcel that serves as a buffer between our property and the residential uses to the west. To help mitigate this request, we are providing a 7'-5" landscape buffer along the west property line with buffer trees at 15'-0" on center where 20'-0" on center is required.
- 4) Request Waiver of Development Standards 30.56-10 (Height/Setback for C-Store) for a rear setback of 24'-3" where 51'-0" is required per the 3:1 setback ratio, for the retail building. To help mitigate this request, we are proposing buffer trees at 15'-0" on center to create a denser landscape buffer.
- 5) Request Waiver of Development Standards of 30.52.050(3)(A)(ii) (Driveway Geometrics) to allow

for a driveway width of 35'-9" lip of gutter to lip of gutter for the southernmost driveway located on S. Rainbow Blvd. where 36'-0" lip of gutter to lip of gutter is required.

- 6) Request Waiver of Development Standards of USDCCA 222.1 (Throat Depth) for a turn-in throat depth distance of 14'-4" and turn-out depth distance of 13'-0" on W. Cactus Ave. where 25 feet is required. Providing the 25-foot throat depths would have a negative impact on the flow of traffic within the site.
- 7) Request Waiver of Development Standards of USDCCA 222.1 (Approach Distance) for the existing driveway located on Cactus Ave to allow for an approach distance of 109'-4", where 150'-0" is required. Relocating the existing driveway would have a negative impact on existing utilities and streetlight.
- 8) Request Waiver of Development Standards of USDCCA 222.1 (Departure Distance) for the northmost driveway located on Rainbow Blvd. to allow for a departure distance of 116'-8", where 190'-0" is required. The driveway location is being proposed under project L-2170.
- 9) Request Waiver for Non-Standard Improvements in the right-of-way to allow existing landscape to remain in the public right-of-way.

The proposed Quick Serve Restaurant Building will be 2,350 sq. ft. and stands 25'-0" high. The proposed C-Store with Car Wash Building will be 5,700 sq. ft and stands 25'-0" high. The proposed Retail Building will be 12,030 sq. ft. and stands 30'-0". The design intent, color scheme, and finishes are to harmoniously blend with the existing tavern on the site and surrounding developments in the area. The site is accessible from W. Cactus Ave. and S. Rainbow Blvd. via existing driveways, as well as ADA compliant pedestrian walkways.

Where 129 parking spaces are required, a total of 134 parking spaces are provided including 5 car and 4 van accessible space. A total of 12 new bicycle spaces are provided. All parking can be easily accessed by customers and employees via walkways located at building entrances. As shown on the site plan, all parking is to be illuminated by new 20-foot-tall shielded down-light posts that match the existing site lighting, to eliminate any light pollution outside of the site, and to comply with Clark County regulations. Additional wall mounted lighting will be provided along the perimeter of the building which will help illuminate the walkways surrounding the building, making this building a safe and illuminated environment.

Landscape is being provided in the form of terminal islands, landscape fingers, and landscape buffers where parking occurs. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list. There are 2 proposed trash enclosures. which will have 6-foot-high CMU walls finished to match the proposed buildings. An open lattice cover over the trash enclosure will be provided which consists of tube steel beams and columns to compliment the site and building. Landscaping will be provided surrounding the enclosure for screening purposes, although still illuminated by a light pole to keep it safe for employees and away from vandalism.

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

Thank You,

Sheldon Colen,  
SCA Design

UC-22-0377



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0075-07	Modified development standards within common element lots such as signs, guardhouses, gazebos, recreation and community facilities, fences, walls, and similar structures and uses on 490 acres in R-2 zoning	Approved by PC	February 2007
ZC-1536-05	Reclassified 356 acres from R-E to R-2 zoning for a Comprehensive Master Planned Community (Southern Highlands), use permit for modified residential development standards, variances to waive the required setbacks from section and center section lines, and waived the required setbacks from township and range lines	Approved by BCC	December 2005
ZC-1604-99	Reclassified the site to C-2 and R-2 zoning which was a part of a mixed-use zone change request for the Southern Highlands Master Planned Community and included a use permit for modified residential development standards which included, but are not limited to, amended setbacks, building heights, separations, and street sections	Approved by BCC	December 1999

\*Additional land use applications have been approved for this site and the surrounding areas of Southern Highlands.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-2	Southern Highlands Golf Course & single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Southern Highlands	C-2	Southern Highlands Golf Clubhouse

**Related Applications**

Application Number	Request
UC-22-0370	A use permit for modified standards and a waiver for modified street standards 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 29.

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 29.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that 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;
- Clark County Fire Prevention approval of the modified street section.

**Current Planning Division - Addressing**

- No comment.

**Fire Prevention Bureau**

- Applicant is advised to ensure that fire/emergency access is in compliance with the Fire Code.

**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 #0253-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SOUTHERN HIGHLANDS GOLF CLUB

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST., BOSTON, MA 02116





# TENTATIVE MAP APPLICATION 13A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500121</u>	DATE FILED: <u>6/16/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC DATE: <u>7/27/22</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>8/17/22</u>	
		FEE: <u>\$750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Southern Highlands Golf Club</u>
	ADDRESS: <u>1 Robert Trent Jones Lane</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u>
	TELEPHONE: <u>702-263-1000</u> CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Southern Highlands Golf Club</u>
	ADDRESS: <u>1 Robert Trent Jones Lane</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u>
	TELEPHONE: <u>702-263-1000</u> CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Westwood Professional Services - Roxanne Leigh</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): 191-06-701-006 & 191-05-401-013

PROPERTY ADDRESS and/or CROSS STREETS: Robert Trent Jones / Oakland Hills Dr.

TENTATIVE MAP NAME: SHGC Lots

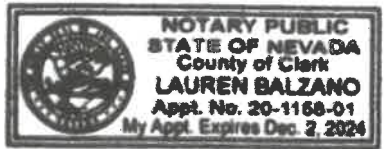
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)\* [Signature] Property Owner (Print) Garry V. Goett

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 25, 2022 (DATE)

By Lauren Balzano  
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

TM-22-500121

OLY2203

June 1, 2022

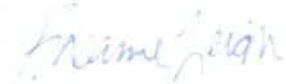
Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

**SUBJECT: Tentative Map for SHGC Lots**

To whom it may concern:

On behalf of the applicant, Southern Highlands Golf Club, we respectfully request the Tentative Map to be heard at the Planning Commission meeting concurrently with the Use Permit and Waiver of Title applications. It is our understanding per Nevada Revised Statutes that Tentative Maps are required to have Commission actions within 45 days. However, Southern Highlands Golf Club would like the applications to go concurrent since they are companion items on the same site.

Sincerely,  
**Westwood Professional Services**



Roxanne Leigh  
Senior Project Coordinator



08/17/22 BCC AGENDA SHEET

SHOPPING CENTER  
(TITLE 30)

CACTUS AVE/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0377-KETHER, LLC:

**USE PERMITS** for the following: 1) reduce the separation of a proposed convenience store; 2) reduce the setback of a proposed vehicle wash; and 3) reduce the setback of a proposed gasoline station.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce height setback ratio; 2) driveway geometrics; 3) reduce throat depth; 4) reduce approach distance; 5) reduce departure distance; and 6) allow non-standard improvements within the right-of-way.

**DESIGN REVIEW** for a shopping center on 3.5 acres in a C-2 (General Commercial) Zone in the Mountains Edge Master Planned Community.

Generally located on the south side of Cactus Avenue and the west side of Rainbow Boulevard within Enterprise. JJ/jor/ja (For possible action)

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RELATED INFORMATION:

**APN:**

176-34-501-008

**USE PERMITS:**

1. Reduce the separation of a proposed convenience store to 24 feet 3 inches where a 200 foot separation from any residential use is required per Table 30.44-1 (an 88% decrease).
2. Reduce the setback of a proposed vehicle wash to 35 feet 3 inches where a 200 foot setback from any residential use is required per Table 30.44-1 (an 83% decrease).
3. Reduce the setback of a proposed gasoline station to 157 feet 6 inches where a 200 foot setback from any residential use is required per Table 30.44-1 (a 21% decrease).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the height/setback ratio for the proposed convenience store building to 24 feet 3 inches where 51 feet is required per Figure 30.56-10 (a 53% decrease).
2. Allow the existing driveway width of 35 feet 9 inches (southernmost driveway along Rainbow Boulevard) where 36 feet is required per Section 30.52.050 (a 3% decrease).
3. Reduce the driveway throat depth along Cactus Avenue to 13 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 48% decrease).
4. Reduce the driveway approach distance along Cactus Avenue to 109 feet 4 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 27% decrease).

5. Reduce the driveway departure distance (northernmost driveway along Rainbow Boulevard) to 116 feet 8 inches where 190 feet is required per Uniform Standard Drawing 222.1 (a 39% decrease).
6. Allow non-standard improvements (existing landscaping) within the right-of-way (Cactus Avenue and Rainbow Boulevard).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 10571 S. Rainbow Boulevard
- Site Acreage: 3.5
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 25 (restaurant building)/25 (convenience store with vehicle wash)/ 18 feet 6 inches (gasoline station canopy)/30 (retail store building)
- Square Feet: 2,350 (restaurant building)/5,700 (convenience store with vehicle wash)/5,000 (gasoline station canopy)/12,030 (proposed retail store building)
- Parking Required/Provided: 129/134

History & Site Plan

ZC-1313-02 reclassified 2.413 acres to various zoning districts which includes the subject parcel being reclassified from R-E zoning to C-2 zoning. This zone change was a part of the Specific Plan for the Mountain's Edge Major Project. This zone change addressed issues, improvements, and phasing of improvements identified by the Board of County Commissioners (BCC). UC-1865-04 was approved by the Planning Commission for a retail center that consisted of 3 future pad sites with a 10,000 square foot in-line retail building. UC-1454-06 approved the existing tavern on the southernmost portion of the site. Today, the applicant is proposing to develop the 3 pad sites along the west and east property lines.

The submitted site plan depicts the following:

**Retail Building**

The proposed in-line retail building is centrally located along the west property line and is set back 15 feet from the west property line adjacent to a single family residential subdivision. A new walkway will be constructed around the perimeter of the building which is coordinated with the existing parking spaces and landscape finger islands along the north, east, and south sides of the retail building. A pedestrian walkway also connects the retail building to the existing internal walkway adjacent to the proposed restaurant pad site.

**Restaurant Building**

Centrally located on the site, adjacent to the east property line is a proposed restaurant building. This pad site will include 1 drive-thru which allows vehicles to enter at the northwest corner of

the drive-thru lane and exit at the northeast corner. Parking spaces on this pad site are located on the north side of the restaurant building. The restaurant building will be set back 23 feet 10 inches from the east property line, adjacent to Rainbow Boulevard.

#### Convenience Store with Vehicle Wash and Gasoline Station

The northwest corner of the site will include a proposed convenience store with a vehicle wash located along the west facing elevation of the building. Parking is also located on the north, east, and south sides of the building. This building is set back 24 feet 3 inches from the west property line, adjacent to an existing single family residential subdivision. The proposed gasoline canopy will be immediately to the east of the convenience store building, with a 44 foot wide drive aisle in between. The applicant is requesting the following use permits: 1) reduce the separation of a proposed convenience store to 24 feet 3 inches where a 200 foot separation from any residential use is required per Table 30.44-1 (an 88% decrease); 2) reduce the setback of a proposed vehicle wash to 35 feet 3 inches where a 200 foot setback from any residential use is required per Table 30.44-1 (an 83% decrease); and 3) reduce the setback of a proposed gasoline station to 157 feet 6 inches where a 200 foot setback from any residential use is required per Table 30.44-1 (a 21% decrease). The applicant is also requesting a waiver to reduce the height/setback ratio for the proposed convenience store building to 24 feet 3 inches where 51 feet is required per Figure 30.56-10 (a 53% decrease).

Due to the existing and proposed driveways along Cactus Avenue and Rainbow Boulevard, the applicant is requesting several waivers of development standards regarding driveway geometrics, a reduction in driveway throat depth, approach distance, departure distance, and allowing non-standard improvements within the right-of-way.

The site plan depicts pedestrian walkways on-site, trash enclosures, bicycle parking, vacuum stall areas, and the applicant provided 134 parking spaces where 129 parking spaces are required.

#### Landscaping

Since the site is located within the Mountains Edge Master Planned Community, there are existing meandering detached sidewalks and landscaping located along Cactus Avenue (north property line), and Rainbow Boulevard (east property line).

The plan depicts that all existing landscaping adjacent to the existing tavern will remain. The existing trees west of the proposed retail building will also remain, but the applicant will install additional trees to create a double row of trees within the 10 foot wide landscape buffer. The parking lot finger islands will now include new trees, shrubs, and groundcover. The 7.5 to 9.5 foot wide landscape planter west of the convenience store and vehicle wash will include a single row of trees spaced every 15 feet. The plan also shows that additional trees and shrubs will be installed adjacent to new parking spaces along the north and east property lines. The landscaping and detached sidewalks along Cactus Avenue and Rainbow Boulevard will remain.

#### Elevations

##### Retail Building

The retail building has an overall height of 30 feet. The exterior façade includes stucco pop-outs with a roofline of varying heights and stacked stone veneer columns. The plans also show

aluminum storefront and window systems. The majority of the main entrances to the lease spaces will face east toward Rainbow Boulevard.

#### Restaurant Building

The proposed restaurant building has an overall height of 25 feet. Per the plans, the exterior façade will match the retail building. The exterior walls will consist of stucco, stone veneer, and aluminum storefront and window systems.

#### Convenience Store with a Vehicle Wash and the Gasoline Canopy

This structure has an overall height of 25 feet as well, while the gasoline canopy has an overall height of 18 feet 6 inches. The elevation plans show that the convenience store will have stone veneer on the bottom half of the building elevation with a parapet style roof. The gasoline canopy will include stone veneer columns to match the convenience store.

#### Floor Plan

The proposed restaurant building has an overall area of 2,350 square feet. The proposed convenience store with vehicle wash has an overall area of 5,700 square feet. The proposed gasoline station canopy has an overall area of 5,000 square feet and finally the proposed retail store building has an overall area of 12,030 square feet.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The proposed shopping center will finally complete the commercial development on the southwest corner of Cactus Avenue and Rainbow Boulevard. In addition to the design review, the proposed uses (convenience store, vehicle wash, gasoline station, retail, and restaurant) will enhance the commercial aspect of the site. However, the following use permits are required since there is an existing single family residential subdivision to the east.

The applicant is requesting approval of a use permit to reduce the separation of a proposed convenience store to 24 feet 3 inches where a 200 foot separation is required from any residential use. A second use permit is required to reduce the setback of a proposed vehicle wash to 35 feet 3 inches where a 200 foot setback is required from any residential use. Lastly, a third use permit is required to reduce the setback of a proposed gasoline station to 157 feet 6 inches where a 200 foot setback is required from any residential use. Per the applicant, there is a vacant parcel that serves as a buffer between the subject property and the residential uses to the west. To help mitigate this request, the applicant is providing a minimum 7.5 foot wide landscape buffer along the west property line with buffer trees at 15 feet on center.

The applicant is also requesting approval of a waiver of development standard to reduce the height/setback ratio for the proposed convenience store building to 24 feet 3 inches where 51 feet is required per Figure 30.56-10 (a 53% decrease). To help mitigate this request, the applicant is proposing a double row of buffer trees at 15 feet on center to create a denser landscape buffer.

The last set of requests includes waivers of development standards for the existing driveways along Cactus Avenue and Rainbow Boulevard and the addition of a proposed driveway along Rainbow Boulevard (northeast corner). Per the applicant, relocating any existing driveways, landscaping, and detached sidewalks would negatively impact the flow of traffic within the site and have a negative impact on the existing utilities and streetlights.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DA-1525-06	Development Agreement for an amendment to the Mountains Edge Development Agreement (DA-1319-02)	Approved by BCC	December 2006
UC-1454-06	Reduced separation for an on-premises consumption of alcohol establishment (tavern) from a residential use and design review for a tavern and a retail center	Approved by PC	November 2006
VS-0693-05	Vacated and abandoned government patent easements - recorded	Approved by PC	June 2005
TM-0252-05	1 lot commercial subdivision	Approved by PC	June 2005
WS-2173-04	Allowed alternative landscaping in conjunction with the Mountains Edge Master Planned Community which included clustering of trees as opposed to a linear placement and allowing plants not approved on the Title 30 plant list	Approved by PC	February 2005
UC-1865-04	Allowed on-premises consumption of alcohol within 200 feet for a planned residential development, with a design review for a tavern and a retail center on 3.7 acres - design review for the site was withdrawn	Approved by PC	December 2004
UC-1833-02	Modified development standards for the Mountains Edge Master Planned Community which consists of alternative standards and design guidelines such as setbacks, separations, height, open space, parking, wall standards, and street sections that propose certain modifications to Title 30 in conjunction with the creation of a Planned Community (P-C) Overlay District	Approved by PC	May 2003
DA-1319-02	Development Agreement for the Mountains Edge Master Planned Community - ordinance	Approved by BCC	December 2002
ZC-1313-02	Reclassified 2,413 acres from R-E zoning to R-1, R-2, RUD, R-3, C-P, C-2, and P-F zoning, included a request for a P-C (Planned Community) overlay district, and C-2 zoning was approved for the subject parcel	Approved by BCC	December 2002

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Mountains Edge	C-2	Shopping center & mini-warehouse facility
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) - Mountains Edge	R-3	Single family residential
East	Business Employment	R-E	Undeveloped

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

#### 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.

The site was previously approved for a shopping center which included the existing tavern on the southern portion of site via UC-1454-06. In 2009, only the tavern was constructed, but the remaining pad sites remained undeveloped. The previously approved plans showed the same exact types of businesses to be constructed in the same general areas of the subject parcel. The site plan approved with UC-1454-06 showed a retail building and a convenience store along the west property line, and the gasoline canopy and restaurant building along the east property line. Today, the submitted plans show the same layout with a few minor design changes such as the proposed setback reductions, location of the trash enclosures, and other design features that must comply with Title 30.

These use permit requests are required since the nearest residential use is immediately to the west. Staff finds that prior to the applicant's submittal of this application, the site already had existing on-site improvements to help mitigate any future commercial development. For example, an 8 foot wall was a condition of approval via UC-1865-04 and was constructed along the west and south property lines with 24 inch box trees planted adjacent to the 8 foot high block wall.

The single family residences immediately to the west of the proposed convenience store were not constructed until the Fall of 2011 to the Spring of 2012. The developer constructed a public drainage and sewer easement that is approximately 34 feet wide and provides an additional physical buffer from the proposed convenience store with vehicle wash and gasoline station. Staff finds that the applicant's request is mitigated due to the existing on-site improvements and with the addition of supplementary large trees spaced every 15 feet (instead of 20) west of the vehicle wash area of the convenience store. The applicant also designed the convenience store to include the vehicle wash tunnel to be constructed on the south facing elevation of the

convenience store; and therefore, any noise from the wash tunnel can be buffered by the existing 8 foot high wall, additional landscaping, and the existing easement adjacent to the residences to the west. Staff supports these requests.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The applicant is requesting to reduce the height/setback ratio for the proposed convenience store building to 24 feet 3 inches where 51 feet is required per Figure 30.56-10. Staff finds that since there is an 8 foot high decorative block wall along the west property, a 7.5 to 9.5 foot wide landscape buffer with large trees spaced every 15 feet, the applicant has provided a sufficient amount of physical and visual buffering to allow the reduction of the height/setback ratio. Staff supports this request.

#### Design Review

The proposed layout was previously approved in 2006. Today, the applicant is proposing a very similar layout while utilizing Title 30. Staff finds that the overall design is harmonious to the site and is appropriate for a C-2 zoned parcel; therefore, staff recommends approval.

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

#### Waiver of Development Standards #2

Staff has no objection to allowing the existing driveway on Rainbow Boulevard to remain at the current width, which is only 3 inches smaller than the minimum requirement. Although the approved improvement plans show the width of the driveway as 36 feet, allowing the driveway to remain as-is should not negatively impact the safety of vehicles using the driveway.

#### Waiver of Development Standards #3

Staff cannot support the request to reduce the throat depth for the driveway on Cactus Avenue. Drivers accessing the site will be confronted with immediate turn movements, parking spaces, and unpredictable movements from the fuel pumps. The site can be redesigned to allow safe vehicle movements.

#### Waiver of Development Standards #4

Staff has no objection to the request to allow the existing fully improved driveway on Cactus Avenue to remain in its current location. Relocating the driveway farther west would require changes to drainage infrastructure.

#### Waiver of Development Standards #5

Staff cannot support the request to reduce the departure distance for the northern driveway on Rainbow Boulevard. Placing driveways farther from intersections reduces the chance for

collisions as those proceeding through the intersection will have less time to react to a vehicle making a turn movement so close to the intersection. Additionally, traffic turning from eastbound Cactus Avenue to southbound Rainbow Boulevard will have even less reaction time for a sudden stop after they ensure that the turn movement can be made safely. Finally, although the northern driveway meets the minimum throat depth standards, staff has the same concerns regarding unpredictable vehicle movements as mentioned in waiver of development standards #3 above.

#### Waiver of Development Standards #6

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

#### **Staff Recommendation**

Approval of the use permits, waivers of development standards #1, #2, #4, and #6, and design review; denial of waivers of development standards #3 and #5.

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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project;
- 30 days to remove the freestanding sign that is located in the right-of-way;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way, unless the area is already covered by an existing Agreement.



- Applicant is advised that the installation of detached sidewalks will require the granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0058-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MATTHEW HAVERIM**

**CONTACT: SHELDON COLEN, SCA DESIGN, 2525 W. HORIZON RIDGE PKWY.,  
SUITE 230, HENDERSON, NV 89052**





# LAND USE APPLICATION 14A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input 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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>UC-22-0377</u>      DATE FILED: <u>6/20/22</u></p> <p>PLANNER ASSIGNED: <u>JKR</u></p> <p>TAB/CAC: <u>ENTERPRISE</u>      TAB/CAC DATE: <u>7/27/22</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>8/17/22</u></p> <p>FEE: <u>\$1825</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>KETHER LLC</u></p> <p>ADDRESS: <u>1200 N. Bundy Drive</u></p> <p>CITY: <u>Los Angeles</u>      STATE: <u>CA</u>      ZIP: <u>90049</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>Matthew Haverim</u></p> <p>ADDRESS: <u>P.O. Box 491390</u></p> <p>CITY: <u>Los Angeles</u>      STATE: <u>CA</u>      ZIP: <u>90049</u></p> <p>TELEPHONE: <u>213.955.4204</u>      CELL: <u>310.422.0133</u></p> <p>E-MAIL: <u>mhaverim@gmail.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Sheldon Colen</u></p> <p>ADDRESS: <u>2525 W. Horizon Ridge Pkwy. Suite 230</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89052</u></p> <p>TELEPHONE: <u>702.719.2020</u>      CELL: _____</p> <p>E-MAIL: <u>sheldon@scadesign.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-34-501-008

PROPERTY ADDRESS and/or CROSS STREETS: 10571 S. Rainbow Blvd

PROJECT DESCRIPTION: Commercial center with drive-thru restaurant, c-store with car wash and fuel pumps, and retail building.

(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)\*      Ramin Haverim  
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.

UC-22-0377

### ACKNOWLEDGMENT

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

State of California  
County of Los Angeles

On FEBRUARY 24, 2022 before me, Mark C. Glode Notary Public  
(insert name and title of the officer)

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

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

WITNESS my hand and official seal

Signature \_\_\_\_\_

(Seal)

