



# ENTERPRISE TOWN ADVISORY BOARD

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

August 9, 2023

6:00pm

## AGENDA

**Note:**

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

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

Barris Kaiser, Vice Chair  
Chris Caluya

Secretary: Carmen Hayes (702) 371-7991 [chayes70@yahoo.com](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 26, 2023. (For possible action)
- IV. Approval of the Agenda for August 9, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)

VI. Planning and Zoning

- 1. **ZC-23-0378-VLV1 LLC ETAL & VLV2 LLC:**  
**ZONE CHANGE** to reclassify 40.1 acres from an R-T (Manufactured Home Residential) Zone to H-1 (Limited Resort and Apartment) Zone.  
**USE PERMITS** for the following: 1) High Impact Project; 2) multiple family development; and 3) allow all commercial uses listed on file.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) building height; 2); parking; 3) setbacks; 4) building separation; 5) street landscaping; 6) landscaping adjacent to a less intensive use; 7) allow modified driveway design standards; and 8) allow non-standard improvements within the right-of-way.  
**DESIGN REVIEWS** for the following: 1) multiple family development (apartments); 2) commercial uses and services; and 3) alternative parking lot landscaping on 48.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Richmar Avenue within Enterprise (description on file). MN/rk/syp (For possible action) 08/15/23 PC
- 2. **ET-23-400097 (UC-21-0188)-REMINGTON UTE, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; 4) reduce the separation from a proposed convenience store to a residential use; 5) reduce the separation from a proposed gasoline station to a residential use; 6) reduce the setback from a convenience store to a section line road; and 7) reduce the setback from a gasoline station to a section line road.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative driveway geometrics; 2) reduce driveway approach distances; 3) reduce driveway departure distances; 4) reduce vehicle wash separation from residential; and 5) reduce trash enclosure setback from residential use.  
**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); 3) vehicle wash; 4) restaurant and drive-thru; 5) retail buildings; 6) finished grade; and 7) alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/tpd/syp (For possible action) 08/16/23 BCC

3. **ET-23-400101 (UC-21-0329)-MARUNDE BRISTOL:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) allow an accessory building (garage) to exceed one half the footprint of the principal dwelling; 2) allow cumulative area of accessory structures to exceed the footprint of the principal dwelling; and 3) alternative design standards.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow non-standard improvements (landscaping, driveway, and fence) within the right-of-way in conjunction with a single family residential home on 0.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Rancho Destino Road and the north side of Mesa Verde Lane within Enterprise. MN/mh/syp (For possible action) **09/05/23 PC**
  
4. **ET-23-400104 (VS-19-0401)-DESERTXPRESS ENTERPRISES, LLC:**  
**VACATE AND ABANDON SECOND EXTENSION OF TIME** easements of interest to Clark County located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15 and portions of a right-of-way being Robindale Road located between Las Vegas Boulevard South and I-15, Moberly Avenue located between Las Vegas Boulevard South and I-15, Eldorado Lane located between I-15 and Las Vegas Boulevard South, and Ensworth Street located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/rp/syp (For possible action) **09/05/23 PC**
  
5. **ET-23-400105 (WS-19-0400)-DESERTXPRESS ENTERPRISES, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) landscaping; and 2) allow non-standard improvements within the right-of-way in conjunction with future development on a portion of 110 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone in the MUD-1 and MUD-2 Overlay Districts. Generally located on the south side of Eldorado Lane and the west side of Las Vegas Boulevard South within Enterprise. MN/mh/syp (For possible action) **09/05/23 PC**
  
6. **UC-23-0395-RIVIERA SHOPPING CENTER LTD:**  
**USE PERMIT** for a service bar in conjunction with an existing restaurant within a shopping center on a portion of 3.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Cimarron Road and the south side of Blue Diamond Road within Enterprise. JJ/lm/syp (For possible action) **09/05/23 PC**
  
7. **UC-23-0414-SUERO ALVARO SCHNEIDER:**  
**USE PERMIT** for a daycare facility in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Bismuth Street, 88 feet south of Anitmony Avenue within Enterprise. MN/nai/syp (For possible action) **09/05/23 PC**
  
8. **UC-23-0428-MEQ-CACTUS & RAINBOW L L C:**  
**USE PERMIT** to allow for a kennel (dog daycare and boarding) within an existing retail building on a portion of 5.2 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Rainbow Boulevard, 320 feet north of Cactus Avenue within Enterprise. JJ/sd/syp (For possible action) **09/05/23 PC**

9. **VS-23-0382-MEQ-BD & D II, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Durango Drive and Cimarron Road and between Blue Diamond Road and Agate Avenue (alignment) within Enterprise (description on file). JJ/jgh/syp (For possible action) **09/05/23 PC**
  
10. **VS-23-0392-S C T SILVERADO RANCH & ARVILLE L L C:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Hinson Street and Arville Street and between Gary Avenue (alignment) and Silverado Ranch Boulevard within Enterprise (description on file). JJ/nai/syp (For possible action) **09/05/23 PC**
  
11. **VS-23-0393-SOUTH 80, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Ensworth Street and Las Vegas Boulevard South, and between Le Baron Avenue and Frias Avenue; and portions of a right-of-way being Pyle Avenue and Frias Avenue located between Ensworth Street and Las Vegas Boulevard South and Parvin Street located between Pyle Avenue and Frias Avenue within Enterprise (description on file). MN/jud/syp (For possible action) **09/05/23 PC**
  
12. **ET-23-400112 (ZC-20-0311)-BULL RUSH, LLC:**  
**USE PERMIT SECOND EXTENSION OF TIME** for off-highway vehicle, recreational vehicle, and watercraft storage.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate landscaping; and 2) allow second story clear windows.  
**DESIGN REVIEWS** for the following: 1) indoor off-highway vehicle, recreational vehicle, and watercraft storage buildings; and 2) finished grade on 2.5 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Cameron Street (alignment), 300 feet north of Cactus Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action) **09/06/23 BCC**
  
13. **WS-23-0396-MACKOVSKI, ALEXANDER:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) landscaping; and 2) off-site improvements in conjunction with a previously approved hotel and retail development on 2.8 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Las Vegas Boulevard South, 430 feet south of Cactus Avenue within Enterprise. MN/hw/syp (For possible action) **09/06/23 BCC**
  
14. **WS-23-0408-RAINBOW & BLUE DIAMOND SOUTHEAST, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to eliminate street landscaping.  
**DESIGN REVIEWS** for the following: 1) restaurant; and 2) finished grade in conjunction with a previously approved shopping center on a portion of 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Blue Diamond Road within Enterprise. JJ/jud/syp (For possible action) **09/06/23 BCC**

15. **ZC-23-0415-GWEDA HOLDING LIMITED PARTNERSHIP:**  
**ZONE CHANGE** to reclassify 4.0 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) driveway departure distance; and 3) driveway throat depth.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a shopping center. Generally located on the southwest corner of Rainbow Boulevard and Shelbourne Avenue within Enterprise. JJ/jor/syp (For possible action) 09/06/23 BCC
  
16. **VS-23-0416-GWEDA HOLDING LIMITED PARTNERSHIP:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Camero Avenue (alignment) and between Rainbow Boulevard and Montessori Street and a portion of a right-of-way being Rainbow Boulevard located between Shelbourne Avenue and Camero Avenue (alignment) within Enterprise (description on file). JJ/jor/syp (For possible action) 09/06/23 BCC
  
17. **ZC-23-0421-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**  
**ZONE CHANGE** to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.  
**DESIGN REVIEW** for a single family residential development. Generally located on the south side of Windmill Lane, approximately 300 feet east of Cimarron Road within Enterprise (description on file). JJ/rr/syp (For possible action) 09/06/23 BCC
  
18. **VS-23-0422-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Windmill Lane and Camero Avenue, and between Cimarron Road and Warbonnet Way within Enterprise (description on file). JJ/rr/syp (For possible action) 09/06/23 BCC
  
19. **TM-23-500088-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**  
**TENTATIVE MAP** consisting of 36 residential lots and 4 common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Windmill Lane, approximately 300 feet east of Cimarron Road within Enterprise (description on file). JJ/rr/syp (For possible action) 09/06/23 BCC

VII. General Business

1. None.

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

IX. Next Meeting Date: August 30, 2023.

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>

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair

JUSTIN C. JONES- MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM

KEVIN SCHILLER, County Manager



# Enterprise Town Advisory Board

July 26, 2023

## MINUTES

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Board Members	Justin Maffett, Chair <b>PRESENT</b> David Chestnut <b>PRESENT</b> Kaushal Shah <b>PRESENT</b>	Barris Kaiser, Vice Chair <b>PRESENT</b> Chris Caluya <b>EXCUSED</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.

Barris Kaiser arrived before vote on planning item #1. Judith Rodriguez and Dane Detommaso, Current Planning

### II. Public Comment

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

- None

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

Motion by Justin Maffett

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

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

### IV. Approval of Agenda for DATE and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended.

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

Requested Hold:

5. ET-23-400097 (UC-21-0188)-REMINGTON UTE, LLC: Applicant has requested a **HOLD** to the August 9, 2023, Enterprise TAB meeting.

Related applications:

7. ZC-23-0334-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:
8. VS-23-0335-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:
9. TM-23-500074-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:
  
10. ZC-23-0360-CFT LANDS, LLC:
11. VS-23-0361-CFT LANDS, LLC:
12. TM-23-500080-CFT LANDS, LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
  - **TITLE 30 ADOPTION VERSION**  
The County has collected, and compiled comments received since the introduction of the rewrite of Title 30 and has posted them to the Transform Clark County website along with responses to comments.  
Please visit <https://www.transformclarkcounty.com/documents> to review the adoption version of the Title 30 rewrite, recent presentations, and comments received and responses to comments.  
The Department of Comprehensive Planning thanks you for your participation during this 3.5 yearlong effort and as we move forward to the adoption hearing scheduled for August 2, 2023.
  
  - **LVMPD ENTERPRISE AREA COMMAND PRESENTS:**  
First Tuesday  
Reckless Driving and Roadrage  
Speaker LVMPD RAID Enforcement Team Officer Mangnelli  
TUESDAY, AUGUST 1st AT 6PM  
Windmill Library  
7060 W. Windmill Lane

VI. Planning & Zoning

1. **VS-23-0343-MOORE DOLLETTE T REV TRUST & MOORE ERIC M & DOLLETTE T TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Edmond Street and Decatur Boulevard, and between Pebble Road and Raven Avenue within Enterprise (description on file). JJ/mh/syp (For possible action) **08/15/23 PC**  
  
Motion by Justin Maffett  
Action: **APPROVE** per staff conditions  
Motion **PASSED** (4-0) /Unanimous



2. **VS-23-0346-NEVADA INVESTMENT ASSN GRP, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Warm Springs Road and Arby Avenue (alignment), and between La Cienega Street and Gilespe Street within Enterprise (description on file). MN/mh/syp (For possible action) **08/15/23 PC**

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

3. **VS-23-0352-ALBERT JOHN J:**  
**VACATE AND ABANDON** easement of interest to Clark County located between Dean Martin Drive and I 15, and between Agate Avenue (alignment) and Vicki Avenue within Enterprise (description on file). JJ/rp/syp (For possible action) **08/15/23 PC**

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

4. **WS-23-0345-PLASENCIA ZUBIN:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the side street corner setback in conjunction with an accessory apartment on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the northwest corner of Peachy Court and Rancho Destino Road within Enterprise. MN/nai/syp (For possible action) **08/15/23 PC**

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

5. **ET-23-400097 (UC-21-0188)-REMINGTON UTE, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; 4) reduce the separation from a proposed convenience store to a residential use; 5) reduce the separation from a proposed gasoline station to a residential use; 6) reduce the setback from a convenience store to a section line road; and 7) reduce the setback from a gasoline station to a section line road.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative driveway geometrics; 2) reduce driveway approach distances; 3) reduce driveway departure distances; 4) reduce vehicle wash separation from residential; and 5) reduce trash enclosure setback from residential use.

**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); 3) vehicle wash; 4) restaurant and drive-thru; 5) retail buildings; 6) finished grade; and 7) alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/tpd/syp (For possible action) **08/16/23 BCC**

Applicant has requested a **HOLD** to the August 9, 2023, Enterprise TAB meeting.

6. **UC-23-0331-SILVERADO INDUSTRIAL, LLC:**  
**USE PERMIT** to allow vehicle (automobile) paint/body shop.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow a vehicle (automobile) paint/body shop not accessory to vehicle sales in conjunction with an existing office/warehouse complex on a portion of 9.4 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the north side of Silverado Ranch Boulevard, 800 feet east of Decatur Boulevard within Enterprise. JJ/dd/syp (For possible action) **08/16/23 BCC**

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

7. **ZC-23-0334-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:**  
**ZONE CHANGE** to reclassify 4.6 acres in an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase screen wall height; **2)** off-site improvements (curb, gutter, and streetlights); and **3)** street configuration.  
**DESIGN REVIEWS** for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the west side of Polaris Avenue and the north side of Frias Avenue within Enterprise (description on file). JJ/rr/syp (For possible action) **08/16/23 BCC**

Motion by David Chestnut  
Action: **APPROVE: Zone Change.**  
**APPROVE:** Waivers of Development Standards #s 1 and 3  
**DENY:** Waivers of Development Standards # 1  
**APPROVE:** Design Review # 1  
**DENY:** Design Review # 2  
**ADD Public Works – Development Review Condition:**

- Extend Signie St to Frias Ave to establish a second entry/exit

Per staff if approved conditions  
Motion **PASSED** (4-0) /Unanimous

8. **VS-23-0335-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Haleh Avenue and Frias Avenue, and between Valley View Boulevard and Polaris Avenue within Enterprise (description on file). JJ/rr/syp (For possible action) **08/16/23 BCC**

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

9. **TM-23-500074-FRIAS, PHYLLIS M. CHARITABLE TRUST ETAL & MOWBRAY, JOHN H. TRS:**  
**TENTATIVE MAP** consisting of 21 residential lots and 2 common lots on 4.6 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Polaris Avenue and the north side of Frias Avenue within Enterprise. JJ/rr/syp (For possible action) **08/16/23 BCC**

Motion by David Chestnut  
Action: **DENY**  
Motion **PASSED** (4-0) /Unanimous

10. **ZC-23-0360-CFT LANDS, LLC:**  
**ZONE CHANGE** to reclassify 5.1 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** to permit an alternative street design.  
**DESIGN REVIEW** for a single family residential development. Generally located on the southwest corner of Le Baron Avenue (alignment) and Valley View Boulevard within Enterprise (description on file). JJ/al/syp (For possible action) **08/16/23 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current planning condition:

- Every 2 driveways to be adjacent to each other

Per staff conditions

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

11. **VS-23-0361-CFT LANDS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Le Baron Avenue (alignment) and Jo Rae Avenue (alignment), and between Valley View Boulevard and Schuster Street (alignment) within Enterprise (description on file). JJ/al/syp (For possible action) **08/16/23 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

12. **TM-23-500080-CFT LANDS, LLC:**  
**TENTATIVE MAP** consisting of 31 single family residential lots and common lots on 5.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southwest corner of Le Baron Avenue (alignment) and Valley View Boulevard within Enterprise. JJ/al/syp (For possible action) **08/16/23 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

VII. General Business:

1. None.

VIII. Public Comment:

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

- A citizen is concerned with the RNP transition to higher density land uses. His opinion is the TAB has not adequately protected the established residents.

IX. Next Meeting Date

The next regular meeting will be August 9, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett

Action: **ADJOURN** meeting at 7:37 p.m.

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

COMMERCIAL &  
MULTIPLE FAMILY DEVELOPMENT  
(TITLE 30)

LAS VEGAS BLVD S./RICHMAR AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0378-VLV1 LLC ETAL & VLV2 LLC:**

**ZONE CHANGE** to reclassify 40.1 acres from an R-T (Manufactured Home Residential) Zone to H-1 (Limited Resort and Apartment) Zone.

**USE PERMITS** for the following: 1) High Impact Project; 2) multiple family development; and 3) allow all commercial uses listed on file.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) building height; 2) parking; 3) setbacks; 4) building separation; 5) street landscaping; 6) landscaping adjacent to a less intensive use; 7) allow modified driveway design standards; and 8) allow non-standard improvements within the right-of-way.

**DESIGN REVIEWS** for the following: 1) multiple family development (apartments); 2) commercial uses and services; and 3) alternative parking lot landscaping on 48.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Richmar Avenue within Enterprise (description on file). MN/rk/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-20-701-005; 177-20-701-008; 177-20-701-012

**USE PERMITS:**

1. High Impact Project.
2. Multiple family development.
3. Commercial uses in H-1 as follows: retail sales and services, office, tavern, restaurant, service bar, supper club, convenience store, alcohol sales (beer, wine, and packaged liquor), health club, major and minor training facility, financial services, pet shop, personal services, and day care.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Increase building height (low/mid-rise apartments) to 68 feet where a maximum height of 50 feet is the standard per Table 30.40-3 (a 36% increase).
  - b. Increase building height (community building) to 51 feet where a maximum height of 50 feet is the standard per Table 30.40-3 (a 1% increase).
2. Reduce parking (low/mid-rise apartments and commercial) to 989 spaces where a minimum of 1,096 spaces are required per Table 30.60-1 (a 10% reduction).

3.
  - a. Eliminate the front setback (Las Vegas Boulevard South) for an entry feature and trash enclosure to 0 feet where 20 feet is required per Table 30.40-3 (a 100% reduction).
  - b. Eliminate the setback from a right of way (Las Vegas Boulevard South) for an entry feature and trash enclosure to 0 feet where 10 is the minimum standard per Section 30.56.040 (a 100% reduction).
  - c. Eliminate the special setback along Las Vegas Boulevard South for an entry feature and trash enclosure where a minimum setback of 25 feet from the back of curb or 10 feet from the future property line per Section 30.56.060 (a 100% reduction).
  - d. Reduce the side corner setback (Richmar Avenue) for residential units to 8 feet where 20 feet is required per Table 30.40-3 (a 60% reduction).
  - e. Reduce the setback from a right of way (Richmar Avenue) for residential units to 8 feet where 10 is the minimum standard per Section 30.56.040 (a 20% reduction).
  - f. Reduce the rear setback (Interstate 15 future frontage road) for residential units to 10 feet where 20 feet is required per Table 30.40-3 (a 50% reduction).
  - g. Reduce the setback from a right of way (internal drive aisles) for residential units to 3 feet, 7 inches where 10 is the minimum standard per Section 30.56.040 (a 64% reduction).
  - h. Reduce the setback from a multiple family garage opening to a drive aisle to 3 feet, 7 inches where a minimum of 8 feet is required per Table 30.40-3 (a 55% reduction).
4. Reduce building separation between residential units to 3 feet, 10 inches where a minimum of 10 feet is required per Table 30.40-3 (a 62% reduction).
5.
  - a. Eliminate street landscaping including the detached sidewalk along Las Vegas Boulevard South and Interstate 15 (future) frontage road where required per Table 30.64-2 and Figure 30.64-17.
  - b. Reduce a portion of street landscaping behind an attached sidewalk along Richmar Avenue to 5 feet where 15 feet is required per Section 30.64.030.
6. Allow alternative landscaping adjacent to a less intensive (multiple family) use where required per Table 30.64-2 and Figure 30.64-11.
7.
  - a. Reduce the driveway throat depth for a call box to 70 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 53% reduction).
  - b. Reduce non-gated driveway throat depth to a minimum of 7 feet, 7 inches feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 95% reduction).
  - c. Reduce the departure distance from a driveway to a street intersection to 92 feet, 9 inches along Richmar Avenue where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 51% reduction).
  - d. Allow a one way divided private drive aisle at a width of 24 feet where 20 feet is the maximum per Chapter 30.52 (a 20% increase).
8. Reduce non-standard improvements (landscaping, detached sidewalk, pavers) within the right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2700 W. Richmar Avenue
- Site Acreage: 40.1 (zone change); 48.2 (overall)
- Number of Units: 672 (low/mid-rise apartments); 174 (cottage); 126 (bungalow); 64 (row style); 120 (walk-up style) = 1,156 total units
- Density (du/ac): 24.1
- Project Type: Commercial and multiple family development
- Number of Stories: 5 (low/mid-rise apartments); 2 (cottage); 2 (bungalow); 3 (row style); 3 (walk-up style)
- Building Height (feet): 68 (low/mid-rise apartments); 26 (cottage); 28 (bungalow); 35 (row style); 39 (walk-up style); 51 (clubhouse)
- Square Feet: 53,000 (commercial); 1,494,043 (multi-family); 18,000 (clubhouse)
- Open Space Required/Provided: 168,142/171,307 (low/mid-rise apartments); 48,400/113,714 (remaining multi-family)
- Parking Required/Provided: 1,096/989 (low/mid-rise apartments and commercial); 935/1,013 (remaining multi-family)

History/Site Description

The subject property is 48.2 acres and currently zoned H-1 on the eastern edge of the development, and R-P on the remaining portion of the development. The eastern 8.1 acres is currently undeveloped and the remaining 40.1 acres is an existing manufactured home park consisting of various manufactured homes and a clubhouse. Some manufactured homes are owned by individuals, and some are owned by the property owner and are rented to individuals. It is the developer's intent to redevelop the entire 48.2 acres and use the existing manufactured home park streets and utility connections where possible.

Site Plan

The development will consist of 1,156 units with an overall density of 24.1 units per acre. All units will be for rent apartments, there is no associated condominiums with this proposal. While this site comprises of five different products, it is one cohesive development with walking access and trails between all areas. There are gates to keep the areas secure; however, the tenants of the various product types can use the amenities throughout the entire project. The community will have a variety of distinctive attached units that are generally clustered and within easy walking distance of a centrally located community clubhouse. The existing clubhouse will be removed and rebuilt once construction of this project commences. The commercial portion of the project totals 53,000 square feet and is located within the four buildings adjacent to Las Vegas Boulevard South, and a free-standing building located towards Serene Avenue. The main entry into the development is from Las Vegas Boulevard South with 2 additional access points each shown from Richmar Avenue and Serene Avenue. An entry feature is located within the center of the drive aisle and a trash enclosure is located on the northside of the drive aisle. While the structures are setback from the constructed offsite standards, if the full Las Vegas Boulevard

right-of-way is constructed, they will be located on the future property line. Internal circulation within the project mainly consists of a network of 24 foot wide drive aisles which take access from the public streets. Parking for the development will be accommodated with a mix of parking garages, individual unit garages, and surface parking. The parking garages are provided on the ground floor, under the podium for the tenants of the low/mid-rise apartments. All other parking consists of garage, covered, and surface parking spaces for both residents and visitors, which are distributed throughout the development. The applicant has designated the parking calculations per housing/use type. The staff report indicates the parking waiver request for the low/mid-rise apartment and commercial area does not meet code. There is only a 1% reduction in parking when considering the overall development. However, since there are vehicular gates throughout the development, staff addressed the mixed-use portion of the development separately.

The land use requests are as follows: a conforming zone change, use permits, waivers of development standards, and design reviews. More specifically, the zone change request is to reclassify 40.1 acres of a 48.2 acre site from an R-T zone to an H-1 zone; and the use permits are requested to permit the multiple family development with various commercial uses in an H-1 zoning district, and for a High Impact Project due to the unit totals. The 1,156 dwelling units exceeds the 500 dwelling unit threshold for High Impact Projects. Additionally, multiple waivers are requested due to the unique product design. These alternative standards consist of, but not limited to, height, parking, setbacks, building separation, landscaping, and driveway geometrics.

The following are highlights of the 5 product types that make up this housing community:

#### **Low-Midrise multi-family /Apartment & Commercial**

The Low-Midrise multiple family area is located along Las Vegas Boulevard South and is proposed for 672 apartment units located in four buildings that are 5 stories in height. For the retail component there are ground level store front windows within four buildings totaling 53,000 square feet. The retail is anticipated to include typical uses found in shopping centers such as restaurants, tavern, health club, retail, office, and a small retail grocery/convenience store. Parking is provided on the ground floor, under the Podium for the tenants of the apartments, with surface parking for the retail along the perimeter.

#### **Low-Midrise multiple family podium type:**

- Studio: 40 units
- One bedroom: 241 units
- One bedroom corner: 120 units
- Two bedroom corner: 129 units
- Two bedroom inline: 139 units
- Three bedroom: 3 units

#### **Total Podium Apartment: 672 Units**

- Midrise building area: 706,001
- Commercial square footage: 53,000
- Total parking provided: 989 spaces



### **Multiple Family (Cottage Home Style)**

The Cottage style apartment area is located along Richmar Avenue and is designed as small, attached apartments that range in size from 1 bedroom, 1 bath up to 3 bedrooms and 2 bathrooms. Each unit has a private yard, private-attached garage, and separated from another unit by a yard. All units are either one or two stories in height.

#### **Apartments (Cottage Style):**

- Plan A (1bd/1bath): 28 units
- Plan B (2bd/2bath): 58 units
- Plan C (3bd/2bath): 30 units

***Total Cottage Style Apartment: 174 Units***

- Cottage style building area: 292,474
- Garage parking: 426 spaces
- On grade parking: 242 spaces
- Total parking provided: 668 spaces

### **Multiple Family (Bungalow Style)**

The bungalow style apartment area is located along Serene Avenue and includes larger units and consists of 126 attached units ranging in size from 2-bedroom, bathroom up to 4 bedrooms. The units are attached on one side by another unit set around a courtyard. The units are 2 stories in height and have 2 car garages.

#### **Apartments (Bungalow Style):**

- Two bedroom units: 27 units
- Three bedroom units: 72 units
- Four bedroom units: 27 units

***Total Bungalow Style Apartment: 126 Units***

- Bungalow style building area: 260,815
- Garage parking: 426 spaces
- On grade parking: 242 spaces
- Total parking provided: 668 spaces

### **Multiple Family (Row Home Style)**

The Row house style apartment area is located along rear of the property near I 15. These are designed as side by side, attached units, with no unit above or below. There are 64 apartments/units consisting of 2 bedrooms and 2 bathrooms. Units are broken up into 7 separate buildings. They are all 2 story units on top of their own garage, and additional parking located within the project's surface parking areas

#### **Apartments (Row House Style):**

- Two bedroom units: 64 units

***Total Row House Style Apartment: 64 Units***

- Row house style building area: 89,430
- Garage parking: 64 spaces
- On grade parking: 64 spaces

### **Walk-up Multiple Family**

The walk-up apartments area is located along Serene Avenue and includes standard apartment design with units grouped within a common building. The area consists of 5 buildings containing 3 floors of apartments, 8 units on each floor. Each unit has a balcony, and each unit is a walk up, no elevator is provided. Parking is provided as surface parking, and a community pool is provided between the buildings.

#### **Apartments (Walk-up Style):**

- One bedroom units: 45 units
  - Two bedroom corner units: 45 units
  - Two bedroom in-line units: 30 units
- Total Walk-up Style Apartment: 120 Units***

- Walk-up style building area: 145,323
- On grade parking: 217 spaces
- Total parking provided: 217 spaces

### Landscaping

The development is interconnected by pedestrian realms, sidewalks, courtyards, and pedestrian oriented private drive aisles. A 15 foot to 40 foot wide pedestrian realm is provided around the low/mid-rise multi-family and commercial development area. Along Las Vegas Boulevard South the plans depict a 40 foot wide landscape area, with a 5 foot wide detached sidewalk. The landscape area consists of 24 inch box trees, shrubs, and groundcover. The proposed landscaping and detached sidewalk are located within Las Vegas Boulevard South, requiring a waiver for non-standard improvements within the right-of-way, since it is not within the boundaries of the project site. A 5 foot to 15 foot wide landscape area, including an existing 5 foot wide attached sidewalk, is depicted along the west side of Richmar Avenue, a 20 foot landscape area with a detached sidewalk is depicted along the east portion of Richmar Avenue; and a 20 foot wide landscape area, including an existing 5 foot wide attached sidewalk, is depicted along Serene Avenue. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. Perimeter landscaping has also been provided along a drainage channel on the west property line of the proposed low/mid-rise development which is adjacent to an existing multiple family building. The perimeter landscape area measures 10 feet in width with trees spaced 30 feet apart, where code requires the trees to be space 20 feet apart. No landscaping is shown adjacent to the future frontage road for Interstate 15 towards the rear of the property.

### Elevations

The buildings on site will vary in terms of height, scale, orientation and building placement. The plans depict 5 different building types. The low/mid-rise multi-family apartments are 5 stories shown at a maximum height of 68 feet. The retail component is mostly ground level store fronts

below the units within four buildings, and a single story free standing building located towards Serene Avenue. The cottage style apartments are either one or two stories at a maximum height of 26 feet. The bungalow style apartments are two stories at maximum height 29 feet. The row house style apartments are 2 story units on top of their own garage at a maximum height of 35 feet. Lastly, the walk-up apartments are 3 stories at maximum of 39 feet.

All buildings, including the clubhouse, will have unified and consistent modern architecture. Most of the building types have varied flat rooflines, while some of the product types incorporates the use of sloped rooflines. The overall development will consist of elements consisting of stucco with vertical and horizontal articulation and additional facade relief on select portions of the horizontal planes. The building materials generally consist of siding and trim elements including veneer accents and color treatments.

#### Floor Plans

The plans depict approximately 1.5 million square feet of multi-family apartments and retail areas that generally consists of the following land use components: up to 53,000 square feet of retail space; 706,001 square of low/mid-rise multi-family apartments; 292,474 square feet of cottage style apartments, 260,815 square feet of bungalow style apartments; 89,430 row home style apartments; 145,323 square feet of walk-up style apartments; and 18,000 square feet for the clubhouse. The plans show a mix of unit types ranging from 1 bedroom to 3 bedroom units. The units for the low/mid-rise multiple family apartments range in area from 553 to 1,277 square feet. The units for the remaining apartments range in area from 724 to 1,825 square feet. The future clubhouse will consist of a fitness center, indoor sport court, spa, sauna and steam room, video gaming area, movie theater, social event bar, event party room, and office administrative and maintenance space.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates on February 16, 2022, the developers held a courtesy community meeting held at the manufactured home park clubhouse for all residents of the Cactus Ridge manufactured home park. During the meeting the closure procedure was explained to the tenants in detail. State statutes were also addressed during the meeting and compliance with the statute was explained to the tenants.

The table below explains the current progress of the park closure:

<b>Cactus Ridge Manufactured Home Park</b>	<b>January 2022</b>	<b>January 2023</b>
Total Tenant owned homes	75	28
Total Tenants agreed to move or sell	0	74
Tenants' undecided to move or sell	75	1
Tenant Homes moved from the park	0	24
Tenant Homes purchased	0	23
Park Owned Homes sold	0	21
Park Owned Homes	42	44
Park Owned Homes rented	19	23

Lastly, the applicant states that this project provides a variety of housing types and costs, creating more of a lifestyle than just an apartment complex. There are different sizes, styles, and rental options for future tenants. One could move in initially and as lifestyle changes or family size grows, residents are able to stay in the same area, but move to a different product. Because these are new and unique designs, there is a need for multiple waivers; however, it provides an affordable community for people to live in and based on the current housing market; this project will provide a much-needed opportunity for people to have a place to live and have a community to enjoy. They believe this is an asset not just to the area but the entire community.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-0735-97	For a 279 space manufactured home park	Approved by PC	June 1997
ZC-1550-96	Reclassified a portion of this site from R-E and H-1 to T-C zoning for a manufactured home park	Approved by BCC	November 1996

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1 & R-3	Shopping center & multiple family residential
South	Entertainment Mixed-Use	H-1, R-3, & C-1	Convenience store, compact lot single family residential, & undeveloped
East	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
West*	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped, and single family residential

\*Immediately to the west is I 15 right-of-way

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive Planning**

##### Zone Change

The H-1 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The conforming zone change request is within the range of intensity allowed by the Master Plan. Staff finds the proposed zoning is consistent and compatible with the existing and approved land uses in the area; therefore, staff recommends approval.

##### Use Permits

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

##### Use Permit #1

The use permit for a High Impact Project, to establish a multiple family development with 1,156 units, in conjunction with commercial development, complies with the goals and policies within the Master Plan. For example, the goal of Policy 6.2.1 is to ensure the design and intensity of a new development is compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. In addition, Policy 3.6.2 encourages compact, mixed-use, and transit-oriented development, or any combination thereof, in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. In this development, residents will be able to walk to the restaurant and retail uses, which will reduce automobile dependency. Lastly, the density is appropriate at this location since the site is surrounded by multiple family developments, commercial developments, and undeveloped parcels with a planned land use of Entertainment Mixed-Use. Therefore, staff recommends approval of this request. Due to the potential impact the project may have to infrastructure and services, staff recommends the developer commits to mitigating such impacts prior to issuance of building permits or other stages of development.

##### Use Permits #2 & #3

Multiple family residential developments and commercial developments require the approval of a use permit in the H-1 zoning district to demonstrate the development is appropriate for the given location. The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. Per the Master Plan, multiple family residential and commercial uses are encouraged as a supporting use in the Entertainment Mixed-Use category to support the expansion of housing options within close proximity of services, amenities, and jobs. The

proposed uses comply with several goals and policies of the Master Plan; therefore, staff recommends approval these requests.

#### Waivers of Development Standards #1 thru #6

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.

Because of the unique design and placement of the buildings, multiple waivers of development standards are required to achieve a diverse, urban pedestrian friendly community. The proposed request will allow for the creation of a development that will provide an opportunity for the use of creative design concepts to address community needs, and will not jeopardize the health, safety, or welfare of the general public. For example, while a waiver is requested to reduce the separation between the trees along the property line adjacent to the multiple family development, there is a drainage channel separating the proposed project and the developed portion of the multiple family development. If this was a dedicated channel, rather than an easement, this requirement would not be required.

The development is designed with an emphasis on streetscape functionality, incorporating retail, employment, housing, and recreation for the area in order to provide a diverse, urban pedestrian friendly community. The proposed design provides a mixed-use development that is vertically integrated with ground level retail, active parks, and plazas all in proximity to transit. The height and scope of the project, building placement and orientation, and other design features set amidst the site are all well interconnected by pedestrian realms, sidewalk, courtyards, and drive aisles. The parking areas are organized so they do not negatively impact the pedestrian circulation. Staff finds the project meets the purpose and expectations within the planned land use category of Entertainment Mixed-Use; therefore, staff recommends approval these waiver requests.

#### Design Reviews #1 & #2

The design of the proposed multiple family and retail development feature variations in building height contributing to breaking-up the mass of the buildings. Staff finds the design of the elevations and floor plans comply with the Master Plan by providing a variety of elevations with articulated building facades. The proposed landscaping also complies with the Master Plan, which encourages perimeter and interior parking lot trees for shade and visual relief. Height, color, and material variations have been incorporated into the design of the buildings, and the proposed development is compatible with the proposed multiple family residential use to the north and west and the surrounding land uses within the area. Furthermore, the project site is a cohesive and unified development with cross access between the commercial and multiple family development; therefore, staff recommends approval of these requests.

#### Design Reviews #3

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the commercial and multiple family development.

Staff finds the proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and the surrounding area. The elimination of the trees within the landscape fingers will alternatively be provided on other portions of the project. Therefore, since the plant material will be distributed throughout the site, staff recommends approval of this request.

**Public Works - Development Review**

Waiver of Development Standards #7a

Staff has no objection to the reduction in throat depth to the call box for the Serene Avenue and Richmar Avenue gated driveways. Both Serene Avenue and Richmar Avenue should see minimal traffic as they currently end just west of the site.

Waiver of Development Standards #7b

Staff has no objection to the reduction in throat depth for the Serene Avenue and Richmar Avenue commercial driveways. Serene Avenue and Richmar Avenue should see minimal traffic as they currently end just west of the site, the reducing potential conflicts caused by the reduction.

Staff finds that the reduction in throat depth to the future right-of-way for the Las Vegas Boulevard South driveway will result in on street stacking of vehicles. Since Las Vegas Boulevard South is an arterial street, it is important that traffic can flow without the impediment of vehicles attempting to access the parking lot. Therefore, staff cannot support this portion of the request.

Waiver of Development Standards #7c

Staff has no objection to the reduction in the departure distance for the easternmost driveway on Richmar Avenue. Richmar Avenue should see minimal use as it ends west of this site.

Waiver of Development Standards #8

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support Waiver of Development Standards #9 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

**Department of Aviation**

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

**Staff Recommendation**

Approval of the use permits, waivers of development standards #1 through #6, #7a, #7c, and #8, and a portion of waiver of development standards #7b for Serene Avenue and Richmar Avenue, and the design reviews; denial of a portion of waiver of development standards #7b for Las Vegas Boulevard South.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County [or provide evidence of an agreement with the Bureau of Land Management] which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County [or the Bureau of Land Management], shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the project must be compliant with NRS 118b; that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews 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;



- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised 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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- Applicant to Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0126-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** LVB 48, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLD 3 STE 577, LAS VEGAS, NV 89134





# LAND USE APPLICATION 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input checked="" 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 type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>ZC-23-0378</u>      DATE FILED: <u>6-20-23</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>8-9-23</u></p> <p>PC MEETING DATE: <u>8-15-23</u>      R-T &amp; H-1 to H-1</p> <p>BCC MEETING DATE: <u>9-6-23</u>      Entertainment Mixed-Use</p> <p>FEE: <u>\$4450.00</u>      MN</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>VLV 1,LLC &amp; VLV 2,LLC</u></p> <p>ADDRESS: <u>1370 Jet Stream DR STE 100</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89052</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>LVB 48, LLC</u></p> <p>ADDRESS: <u>901 N.Green Valley Pkwy Suite 130</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89074</u></p> <p>TELEPHONE: <u>702-444-4795</u>      CELL: _____</p> <p>E-MAIL: <u>michael@wdcnevada.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>LAS Consulting-Lucy Stewart</u></p> <p>ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89134</u></p> <p>TELEPHONE: <u>702-499-6469</u>      CELL: _____</p> <p>E-MAIL: <u>stewplan@gmail.com</u>      REF CONTACT ID #: <u>165577</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-20-701-005, 008 & 012

PROPERTY ADDRESS and/or CROSS STREETS: NWC Richmar & LVBS

PROJECT DESCRIPTION: Rezone to H-1 with use permits for mixed use and multi-family development

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

[Signature]      Dennis Troesh  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 17, 2022 (DATE)

By Jessica Pantaleon

NOTARY PUBLIC: \_\_\_\_\_



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

*LAS Consulting  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857*

2C-23-0378

April 13, 2023

Mr. Robert Kaminski, Principal Planner  
Comprehensive Planning Department  
500 Grand Central Parkway  
Las Vegas, NV 89155

**RE: Project Description-** APN: 177-20-701-005, 008, and 012 (APR-22-100849-to be changed at final submittal).

Dear Mr. Kaminski:

Please find below our project description for a High Impact Project (HIP), zone change, use permit, design review, waiver of development standards and located on the northwest corner of Las Vegas Boulevard South (LVBS) and W. Richmar Avenue.

#### **SURROUNDING USES**

The subject property surrounds an existing condominium project called (Boca Raton) Palm Beach Resort, located on the south side of Serene. The east side of the project is bordered by Las Vegas Boulevard South, Serene to the north and Richmar Avenue to the south. South of Richmar Ave are four hard zoned H-1 zoned parcels containing a Circle K convenience store with gas pumps, Dotty's tavern, a retail center and a vacant parcel adjacent to Las Vegas Blvd South. West of those parcels, south of Richmar Ave is an R-3 zoned single family developed subdivision (Richmar Ranch).

#### **PROJECT DESCRIPTION**

The property is 48.1 gross acres and currently zoned H-1 (Limited Resort and Apartment -8.1 acres) and R-T (Manufactured Home Residential- 40.1 acres). The eastern 8.1 acres are vacant. The remaining 40.1 acres is an existing mobile home park that is zoned R-T- Manufactured Home Residential consisting of a mix of mobile homes. Some mobile homes are owned by individuals and some mobile homes are owned by the property owner and are rented to individuals. It is the developer's intent to use the existing mobile home park streets, and utility connections (where possible). There is an existing east-west drainage channel running through the mobile home park, the channel then turns north-south between the Mid-Rise multi-family portion and the existing seven story Palm Beach Resort (Boca Raton). There is a vacant BLM parcel on the immediate southwest corner of Serene Ave and LVBS with a Clark County RPM lease on it, not a part of this request.

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The overall site is 48.06 gross acres. The parcel numbers are 177-20-701-005, 008, & 012. Total number of residential units are 1,156 Units with an overall density of 24.08 units per acre. There are amenities throughout the entire site. The project is designed with a variety of products, creating product segregation and a variety of housing within the community. The tenants of the various product types can use the amenities throughout the entire project. There will be reciprocal access within the gated areas via an electronic FOB access control system for the residents will have access between the areas and amenities.

### **OPEN SPACE/AMENITIES**

Open space provided for the overall development includes pools, open space, and the pedestrian realm. The open space is calculated as follows:

#### Open space calculation Low-Midrise multi-family w/commercial

open space required:

$0.0165 \times 44.27 \times 16.09 \times 35\% = 3.86 \text{ ac (168,142 sf)}$

open space provided:

pools on grade & pedestrian realm: 102,279 sf

podium deck green space: 46,748 sf

dog park & walking trail: 22,380 sf

total open space provided: 171,307 sf (3.93 ac)

#### Open space calculation remainder of the multifamily:

(bungalow / cottage / row house / walk-up:)

open space required (100 sf / unit): 48,400 sf

cottage: 174 units

bungalow: 126 units

row home: 64 units

walk up apartment: 120 units

total units: 484 units

open space provided:

pools & club house: 49,405 sf

pocket community garden (10): 18,130 sf

amenities open spaces: 46,179 sf

Total open space provided: 113,714 sf

The Club House/ Office is an amenity for use by all residents in the entire project- 18,000 Square Feet are designed as a sports center/club house for the entire community. The sports center/club house contains different amenities like gym, indoor sport court, spa, sauna, steam, video gaming, movie theater, social event bar, event party room, shared kitchen, and office administrative and maintenance space. The existing building is being torn down and rebuilt.

Pedestrian realm- Within the right of way for LVBS, a 20'-9" foot pedestrian realm is shown along the frontage. There is enhanced pavement at the entrance to the low- midrise multi-family with commercial, to alert drivers to pedestrians. The pedestrian realm connects with the

walkways throughout the development. The pedestrian realm is provided around the Low-Midrise multi-family with amenities/street furniture provided. The pedestrian realm will be built with the initial development, within the existing right of way. The landscape area consists of a detached sidewalk and landscaping behind the sidewalk. The overall open area is 44-48 feet in width. When the ultimate road is built, then there will be 15 feet of landscaping and detached sidewalk adjacent to the property line.

## **PRODUCT DESCRIPTION**

### **Low-Midrise multi-family /Apartment & Commercial**

The Low-Midrise multi-family portion is proposed as 672 apartment units (breakdown of unit type is listed below) located in four buildings that are 5 stories in height. The buildings are gray in color with accents of blue, green with dark stone looking tile along the top, flat roof, and light stone look tile along the first-floor retail. Balconies are provided on some units.

The buildings are a maximum 68 feet 3 inches in height, and the code requires a 1:3 setback. The buildings are setback from the eastern property line by 80 feet where 23 feet are required. A 20'-9" foot pedestrian realm is provided around the Low-Midrise multi-family with amenities/street furniture provided.

Retail- There are store front windows for the commercial façade. The total square footage located within all four buildings are 53,000 square feet. Within the ground floor of the Low-Midrise multi-family there is the Main Leasing office along the main access road on Las Vegas Blvd. This office is intended to be the main support to the property management team for the project. There is an 8,000 square foot, free-standing retail building to the north near the access point from Serene Avenue. The retail is anticipated to include typical uses found in shopping centers- restaurants, a tavern, a health club, dry cleaner, and a small retail grocery/convenience store.

Access is provided from the north via a driveway on Serene Ave that provides access to the parking lot and retail with a gated entrance further on-site. There is an access point on the south via Richmar. The main entrance of this area of the development is located on LVBS, which includes an entry feature at a zero setback at the property line. The main entrance/driveway onto the development is a tree lined street with surface parking. A deceleration lane is provided on Las Vegas Blvd to the main entrance.

Parking is provided on the ground floor, under the Podium for the tenants of the apartments, with surface parking for the retail along the perimeter. Access for the garage/podium entrances are gated/controlled access.

Low-Midrise multi-family podium type:

Studio: 40 units

One Bedroom: 241 Units

One Bedroom Corner: 120 Units  
Two Bedroom Corner: 129 Units  
Two Bedroom Inline: 139 Units  
Three Bedroom: 3 Units  
Total Podium Apartment: 672 Units  
Low-Midrise multi-family Acres: 15.095 Ac  
Low-Midrise multi-family Density: 44.518 Units/Ac  
Low-Midrise multi-family Commercial: 53,000 Sf  
Apartment Office/Club House: 6,000 Sf  
Community Sport Center / Club: 18,000 Sf

Total Low-Midrise multi-family Parking Provided:  
Podium Garage Parking:  
Garage 1: 99 Spaces  
Garage 2: 88 Spaces  
Garage 3: 92 Spaces  
Garage 4: 187 Spaces  
Total: 466 Spaces  
On Grade Commercial: 299 Spaces  
On Grade Residential: 224 Spaces  
Total Parking Provided: 989 Spaces  
Total Low-Midrise multi-family w/commercial  
Required 1096 Spaces

Open Space Calculation – Low-Midrise multi-family:  
(0.0165) X (Dwelling Unit Per Acre) X (Total Acres) X  
(35%) = Required Open Space (In Acreage)  
Open Space Required:  
 $0.0165 \times 44.27 \times 16.09 \times 35\% = 3.86 \text{ Ac (168,142 Sf)}$   
Open Space Provided:  
Pools On Grade & Pedestrian Realm: 102,279 Sf  
Podium Deck Green Space: 46,748 Sf  
Dog Park & Walking Trail: 22,380 Sf  
Total Open Space Provided: 171,307 Sf (3.93 Ac, for an excess of 3,165 square feet.

### **Multi-Family (Cottage Home Style)**

The Cottage style apartment area is located along Richmar Avenue and is designed as small, attached apartments that range in size from one bedroom one bath up to three bedrooms and two bathrooms. Each unit has a private yard, private-attached garage, and separated from another unit by a yard. All units are one or two stories in height, neutral colors. This area is accessed from a main access drive from Richmar Avenue and through the network of roads within the remainder of the development. The buildings are located approximately 8 feet from Richmar Avenue which is the front yard of this portion of the project. However, the units are designed as if they were individual houses and the fire lanes and parking lots function as private

streets, so the units are siding to Richmar, while technically it is the front yard. Below is the breakdown of the unit types:

Apartments (Cottage Style):

Plan A (1bd/1bath):	28 Units
Plan B (2bd/2bath):	58 Units
Plan C (3bd/2bath):	30 Units
Plan D (1bd/1bath):	30 Units
Plan E (2bd/2bath):	28 Units
<hr/>	
Total Parking Provided:	174 Units

Apartments (Cottage Style) Parking Required:

Plan A (1bd/1bath)1.25: 35 Spaces  
Plan B (2bd/2bath)1.75: 102 Spaces  
Plan C (3bd/2bath) 2: 60 Spaces  
Plan D (1bd/1bath) 1.25: 37.5 Spaces  
Plan E (2bd/2bath) 1.75: 49 Spaces  
Guests: (1/5 Units): 35 Spaces  
Total Parking Required: 319 Spaces  
Total Cottage & Bungalow Style Parking Provided:  
Garage Parking: 426 Spaces  
On Grade Parking: 242 Spaces  
Total Parking Provided: 668 Spaces

**Multi-Family (Bungalow Style)**

The bungalow style apartment portion of the development includes larger units and consists of 126 attached units ranging in size from two bedroom-two bathroom up to four bedrooms. The units are attached on one side by another unit set around a courtyard. This area is towards the west side of the project on both sides of the drainage channel that runs through the center of the overall development. The units are two stories in height and have two car garages. The colors are neutral in color, and each cluster of units is separated by a yard from the other units. Access is provided through the entire development and a driveway on Serene Avenue.

**Apartments (Bungalow Style) unit breakdown:**

Two Bedroom: 27 Units  
Three Bedroom: 72Units  
Four Bedroom: 27 Units  
Total: 126 Units

**Apartments (Bungalow Style) Parking Required:**

Two Bedroom: 54 Spaces  
Three Bedroom: 144 Spaces  
Four Bedroom: 54 Spaces  
Guests: 26 Spaces  
Total Parking Required: 278 Spaces



Total Cottage & Bungalow Style Parking Provided:

Garage Parking: 426 Spaces

On Grade Parking: 242 Spaces

Total Parking Provided: 668 Spaces

**Walk-up Multi-Family**

The walk-up apartments are a standard apartment design with units grouped within a common building. The area consists of five buildings containing three floors of apartments, eight units on each floor. The buildings are 39'2" in height. Parking is provided as surface parking, and a community pool is provided between buildings three and four. This portion of the project is adjacent to Serene Ave, surrounded by the bungalow units to the east and south with the row units on the west.

Each unit has a balcony, and each unit is a walk up, no elevator is provided. Between buildings two and three are open space common areas including benches or hammocks. Between building five and the bungalow area, there is open space including a bar-b-cue area, benches or hammocks and a gazebo.

Apartment Walk Up Type:

One Bedroom: 45 Units

Two Bedroom Corner: 45units

Two Bedroom Inline: 30 Units

Walk Up Apartment: 120 Units Total

One Bedroom (1.25 /Units): 57 Spaces

Two Bedroom (1.75 / Unit): 132 Spaces

Guest: (1/5 Units): 24 Spaces

Total Required: 213 Spaces.

Parking Provided Walk Up Apartment:

Total Provided: 217 Spaces

**Multi-Family (Row House/Townhome Style)**

The fifth and final area of the development are the row housing style apartments. These are designed as side by side, attached units, with no unit above or below. This area backs up to the frontage road that is being dedicated along Interstate -15. There is an existing wall along the property line and a noise/sound wall to buffer the sounds of traffic on I-15.

There are sixty-four apartments/units consisting of two bedrooms and two bathrooms. Units are broken up into seven separate buildings. They are all two-story units on top of their own garage, and additional parking located within the project's surface parking areas. Each unit is three levels, 35 feet in height. The first floor is the garage, second floor living area (kitchen, living room) and the third floor contains the two-bedroom units.

Apartment (Row House Style) (2bd/2bath):  
Total: 64 Units

Apartment (Row House Style) Parking Required:  
Apartment (Row House Style): 128 Spaces  
Apartment (Row House Style) Parking Provided:  
Garage: 64 Spaces  
Outside Garage Parking: 64 Spaces  
Total Provided: 128 Spaces

### **OVERALL DEVELOPMENT**

While this development is five different products, it is one cohesive development with walking trails/access between all areas. There are gates to keep the area secure, however, all tenants will have access to all parts of the development. Each tenant will have access to any of the amenities provided on the site, so they are allowed a large amount of variety. The total number of residential units are 1,156 Units with an overall density of 24.08 units per acre. The commercial totals 53,000 square feet and is located within the four buildings adjacent to LVBS, and a free-standing, 8000 square-foot building is located towards Serene. There are amenities throughout the entire site. The tenants of the various product types can use the amenities throughout the entire project. Even though there are gates, the residents will have access between the areas. The Sports Club House/ Office is for the entire project- 18,000 Square Feet are a sports center/club house for the entire community. The sports center/club house contains different amenities like gym, indoor sport court, spa, sauna, steam, Video gaming, movie theater, Social Event bar, event party room, shared kitchen, and office admin and maintenance space. This is located in the center of the entire project.

### **REQUESTED APPLICATIONS OVERALL PROJECT**

REQUEST- Zone change from Manufactured Home Residential (R-T) to Limited Resort and Apartment (H-1).

JUSTIFICATION-The property is master planned Entertainment Mixed-Use (EM) and H-1 is a conforming zone change. When the application was initially filed there was a mixed-use category. The soon to be adopted code eliminates the mixed-use category, however the H-1 with use permits is conforming and is the appropriate zoning category for this area which is along the south end of the strip.

REQUEST -Use permit for multi-family/apartments in H-1.

JUSTIFICATION- The only use allowed by right in the H-1 district is a hotel. All other uses require use permits. This request is for a variety of multi-family type dwellings. The Las Vegas Valley has a shortage of affordable housing. This development will allow tenants to move into one level and then can move up to various levels as their family grows or they experience changes in life, while remaining within the same neighborhood.

REQUEST-Use Permit for a High Impact Project (HIP).

JUSTIFICATION-This is a high impact project that is utilizing the existing fire lanes in the mobile home project for residential development. Given the large number of units this becomes classified as a HIP. This project provides a variety of housing types and costs, creating more of a lifestyle than just an apartment complex. There are different sizes, styles, and lifestyles provided as a result of being a high impact project.

REQUEST-WAIVER-THROAT DEPTH- NONGATED DRIVEWAYS a) Waiver of development standards to reduce the eastern most driveway throat depth on Richmar Ave to 7.74" feet, where 150 feet are required. b) Waiver of development standards to reduce throat depth on LVBS to 30'2" (current street alignment and 8' 3.5" for future situation) where 150 feet are required on. c) Waiver of development standards to reduce the throat Depth on Serene East Driveway to 68' 1.3" where 150' are required.

JUSTIFICATION a) There are multiple driveways into the site and the county allows the applicant to average the driveway throat depth. Because there are so many access ways into the site, there will not likely be any impacts on the adjacent streets. Richmar is not a through street so traffic will be minimal, and it should have an impact on traffic. This driveway is aligned with the driveway across Richmar to provide access for retail fronting Las Vegas BLVD. b) There are multiple driveways into the site and the county allows the applicant to average the driveway throat depth. Because there are so many access points into the site, there will not likely be any impacts on the adjacent streets. Serene is not a through street so traffic will be minimal, and it should have an impact on traffic. c) There is a proposed deceleration lane for this driveway on LVBS. The purpose of the throat depth is intended to prevent cars from conflicting with the existing travel lane. In this situation, the deceleration lane into the site allows for additional storage which will remove the stacking of the cars into the intersection therefore removing the conflict points with the existing travel lanes. D) This an existing driveway and gate and the applicant would like to maintain this gate and driveway. There has not been an issue in the past with this reduction.

REQUEST-WAIVER-THROAT DEPTH- GATED DRIVEWAYS a) Reduce the setback for the Call Box location on Richmar for the existing center Driveway to 70.13' where 100'+ are required. b) Reduce the setback for the Call Box location on Richmar for the existing westernmost Driveway to 70.13' where 100'+ are required. c) Reduce the setback for the Call Box location on Serene 52' 1" where 100' are required.

JUSTIFICATION- a) The standard drawing requires a traffic study to determine the setback. A traffic study has been submitted to the county. The existing call box and entryway is being maintained. The community center is located to the north of the driveway and the existing configuration will remain the same. b) The standard drawing requires a traffic study to determine the setback. A traffic study has been submitted to the county. The driveway provides access to the rear of the low-midrise multi-family w/commercial and the garages. This will mostly be accessed at various times of the days and should not have an impact on Richmar-

there are multiple ways to enter the property. c) The standard drawing requires a traffic study to determine the setback. A traffic study has been submitted to the county. This is an existing call box/gate, and they would like to maintain the location.

REQUEST- Request to reduce the departure on Richmar to 92'-9" provided for current curb, and 64'-5" provided for future curb return where 190' required.

JUSTIFICATION -This driveway is aligned with the driveway across Richmar to provide access for retail fronting Las Vegas BLVD. Richmar is not a through street so this should have a minimal impact on traffic.

REQUEST -Waiver of development standards to increase the building height of the community building to 51 feet where 35 feet is the maximum.

JUSTIFICATION-The community building is designed as a sports center/club house for the entire community. The sports center/club house contains different amenities like gym, indoor sport court, spa, sauna, steam, video gaming, movie theater, social event bar, event party room, shared kitchen, and office admin and maintenance space. The building's height needs to be increased to allow for the sports courts which are higher than 35 feet.

REQUEST- Request to reduce/eliminate parking lot landscaping.

JUSTIFICATION-The design of the site is designed in such a way there are not vast parking areas. Behind the low-midrise multi-family w/commercial doesn't meet the islands within the parking lots now in front of the community center, however, there is significant landscaping between the parking and the drainage channel and surrounding the community building.

REQUEST- A 10-foot setback shall be maintained between a street or future right-of-way line and a structure, as established by Section 30.52.030. Setback waivers are requested along Richmar to 8 feet.

JUSTIFICATION-The way the buildings are designed, the units appear as a cluster of homes. Richmar functions as a side yard for the homes. There is an existing sidewalk and wall along Richmar. We are requesting to keep the appearance the same as today and maintain the existing landscaping and wall.

REQUEST-Reduce the setback to a street (drivable space-30.56.040d) to a minimum of 3'-7". The reductions are throughout the project, but this is the greatest reduction in the project.

JUSTIFICATION-This is the site of an existing mobile home park. The applicant is using the existing utilities and driveways as best as possible. This does result in some waivers to setbacks, but will provide for a variety housing types.

## **REQUESTED APPLICATIONS-LOW/MID-RISE MULTI-FAMILY W/COMMERCIAL**

**REQUEST**-Waiver of development standards to reduce the required parking per Title 30.64 to 993 spaces where 1096 are required, a reduction of 105 spaces or 10.4%.

**JUSTIFICATION**- There are 989 parking spaces shown both in the podium/garages and surface parking, however, 1096 are required for the entire Low-Midrise multi-family, short 107 spaces. Even though the Low-Midrise multi-family is short 107 spaces, there are 288 surface parking spaces, with 212 spaces required for retail there is an opportunity for the tenants to occupy 76 of the excess retail parking calculation. Tenants will have the opportunity to park in the retail parking area after businesses are closed. Also, only 36% of the units are larger than a studio or one bedroom, so it is unlikely that more than 36% would be occupied by roommates, which would probably require parking spaces per roommate because each would potentially have a car. There are also northbound-southbound bus stops on Las Vegas Boulevard at both Richmar Avenue and Serene Avenue.

**REQUEST**-Waiver of development standards to increase the building height (low-midrise multifamily) to 68 feet where 50 feet is the maximum.

**JUSTIFICATION**-Though the code requires multi-family developments within H-1 to meet the R-5 standards (maximum height of 50 feet), the H-1 district allows for a height of 100 feet. This application was uploaded when mixed use still existed, and 100 feet was allowed for mixed use developments. Since mixed use is being removed from the code, this development needs to meet the 50-foot maximum height. The adjacent development is 7 stories in height where this one is 5 stories including the first floor of commercial.

**REQUEST** -Waiver of development standards to allow a zero setback for an entry feature and trash enclosures/walls where 10 foot minimum is required.

**JUSTIFICATION**-The existing condition of LVBS there is plenty of room and setback for the entry feature and trash enclosure, however, once the ultimate right of way is taken and the roadway expanded (most likely decades from now) then both items will be right on the property line. The entry feature will meet the clearance required by code.

**REQUEST** -Waiver of development standards to allow a divided driveway 24 feet in width (each direction) where 20 feet is the maximum.

**JUSTIFICATION**-The fire department requires 24 feet in width for the ability of the fire truck to maneuver in and out of the driveway.

**REQUEST**-Waiver of development standards to allow landscaping within the right of way for Las Vegas Boulevard South (LVBS).

**JUSTIFICATION**- The existing condition of LVBS has excess right of way. In order to provide a

more attractive appearance adjacent to the travel lanes, landscaping in the right of way will develop an attractive appearance along the boulevard. We understand a license and maintenance agreement will be required.

REQUEST-Use permit to waive the 200-foot separation between tavern and residential to zero within the low-mid-rise multi-family with commercial.

JUSTIFICATION -The tavern is located within the same building as the residential. The commercial, including the tavern, provides convenience for the residents of the overall complex.

REQUEST-Use permit for:

1. Retail sales and service in H-1
2. Tavern
3. Restaurant
4. Restaurant with service bar
5. Supper Club
6. Retail Sales & Service
7. Healthcare Services and Medical Office
8. Offices
9. Gym / Health club / sports training with pool
10. Bank
11. Dry Cleaner
12. Convenience Store
13. Personal Service (nail salon, hairdresser)
14. Day Care
15. Pet Hotel and Pet Care Services
16. Sales Office
17. Coffee Shop
18. Tobacco sales
19. Frozen yogurt/ice cream store

JUSTIFICATION-H-1 requires all uses to be approved with a use permit. These uses are the anticipated uses for the commercial in conjunction with the low to mid-rise apartments.

#### **REQUESTED APPLICATIONS-MULTI-FAMILY-ROW HOME STYLE APARTMENTS**

REQUEST -Waiver to reduce the setback from 20 feet to 10 feet from the western property line.

JUSTIFICATION- The row style multi-family units are along the right of way for I-15. The right of way is 325 feet wide, and there is an existing sound wall along the western boundary. The rear of the units should not be impacted by a reduced setback to I-15. The units will not be visible from I-15 because of the existing noise/sound wall.

REQUEST-Eliminate Street landscaping for the north-south frontage road adjacent to I-15 right of way.

**JUSTIFICATION-** The row style multi-family units are along the right of way for I-15. There is an existing noise/sound wall along the western boundary. A frontage road is being requested along the outside of the property line and the existing wall. There will be trees planted in the rear yards of the row house style multi-family. This will soften the appearance along the frontage road.

**REQUESTED APPLICATIONS- MULTI-FAMILY/APARTMENTS (COTTAGE STYLE & BUNGALOW STYLE).**

**REQUEST** -Waiver to reduce the garage setback from drive aisle from 8 feet to 3'7", majority are 5'6".

**JUSTIFICATION-**The applicant is using the existing drive aisles (from the mobile home park) with existing utilities. The cottage style has one row of units with the reduced setback, opposite from the row housing multifamily units that have the reduced setback to the garages. They are single car garages so there isn't a lot of traffic in and out of them, also, with the driveway being reduced from 8 feet to less than 4 feet, cars do not have enough room to park in the driveway parallel or perpendicular, yet there is enough room for visibility when backing out.

**REQUEST** -Reduce front setback from 20 feet to 8 feet along Richmar within the Cottage multi-family area. The R-5 standards requires 20-foot setback along all frontages.

**JUSTIFICATION-** The way the buildings are designed, the units appear as a cluster of homes. Richmar functions as a side yard for the homes.

**REQUEST-** Reduce the landscaping along Richmar from 15 feet behind an existing sidewalk to 5-10' (5 feet along the Bungalow & Cottage and 10' along low-midrise w/commercial).

**JUSTIFICATION-** There is an existing sidewalk and wall along Richmar. We are requesting to keep the appearance the same as today and maintain the existing landscaping and wall.

**REQUEST** -Reduce the separation between buildings to 3'10" where 10 feet are required.

**JUSTIFICATION-** This is a unique product that hasn't been built in the Las Vegas valley and the design is unique. This design doesn't necessarily fit in the current code. A storage unit has been placed between the buildings so technically they are attached, but we are requesting this waiver.

**COMPLIANCE SUMMARY FOR NRS 118b**

**NRS 118b-** This project is on the location of the Cactus Ridge Mobile Home Park. The property owner has followed the required rules as outline in NRS 118b.

*Disposition:* In January 2022 Ochoa Development issued a courtesy notice to all residents renting park owned homes (19 at the time) and all Tenants who own their own homes (75 at the time) that the mobile home park will be closed.

On February 16, 2022, Ochoa held a courtesy community meeting held at the Cactus Ridge clubhouse for all residents of the Cactus Ridge mobile home park. During the meeting the closure procedure was explained to the Tenants in detail. Statue 118b was also addressed during the meeting and compliance with the statue was explained to the tenants.

The table below explains the current progress of the park closure.

<b>Cactus Ridge Mobile Home Park</b>	<b>January 2022</b>	<b>January 2023</b>
Total Tenant owned homes	75	28
Total Tenants agreed to move or sell	0	74
Tenants' undecided to move or sell	75	1
Tenant Homes moved from the park	0	24
Tenant Homes purchased	0	23
Park Owned Homes sold	0	21
Park Owned Homes	42	44
Park Owned Homes rented	19	23

**CONCLUSION:** This is a high impact project that is utilizing the existing fire lanes in the mobile home project for residential development. This project provides a variety of housing types and costs, creating more of a lifestyle than just an apartment complex. There are different sizes, styles, and lifestyles. One could move in initially and as lifestyle changes or family size grows, residents are able to stay in the same area, but move to a different product. Because these are new and unique designs, there is a need for waivers, however, it provides an affordable community for people to live in. We believe with the current housing market; this project will provide a much-needed opportunity for people to have a place to live and have a community to enjoy.

We believe this is an asset not just to the area but the entire community. We respectfully request approval of this request.

Yours truly,

*Lucy Stewart*



CONVENIENCE STORE/GAS STATION/  
VEHICLE WASH  
(TITLE 30)

WINDMILL LN/DECATUR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-23-400097 (UC-21-0188)-REMINGTON UTE, LLC:

**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; 4) reduce the separation from a proposed convenience store to a residential use; 5) reduce the separation from a proposed gasoline station to a residential use; 6) reduce the setback from a convenience store to a section line road; and 7) reduce the setback from a gasoline station to a section line road.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative driveway geometrics; 2) reduce driveway approach distances; 3) reduce driveway departure distances; 4) reduce vehicle wash separation from residential; and 5) reduce trash enclosure setback from residential use.

**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); 3) vehicle wash; 4) restaurant and drive-thru; 5) retail buildings; 6) finished grade; and 7) alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/tpd/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-13-501-008

**LAND USE PLAN:**  
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**USE PERMITS:**

1. Allow a convenience store.
2. Allow a gasoline station.
3. Allow a vehicle wash.
4. Reduce the separation from a proposed convenience store to a residential use to 135 feet where 200 feet is required per Table 30.44-1 (a 33% reduction).
5. Reduce the separation for a proposed gasoline station to a residential use to 130 feet where 200 feet is required per Table 30.44-1 (a 35% reduction).
6. Reduce the setback for a convenience store to a section line road to 15 feet 3 inches where 30 feet is required per Table 30.44-1 (a 49% reduction).
7. Reduce the setback for a gasoline station to a section line road to 15 feet 3 inches where 30 feet is required per Table 30.44-1 (a 49% reduction).

### WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the throat depth for a driveway at Windmill Lane to 8 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).
- b. Reduce the throat depth for a driveway at Decatur Boulevard to 4 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 84% reduction).
2. Reduce the approach distance to the intersection of Decatur Boulevard and Windmill Lane to 111 feet where a minimum distance of 150 feet is required per Uniform Standard Drawing 222.1 (a 26% reduction).
3. a. Reduce the departure distance from the intersection of Windmill Lane and Ribbon Falls Street to 56 feet where a minimum distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 71% reduction).
- b. Reduce the departure distance from the intersection of Windmill Lane and Decatur Boulevard to 154 feet where a minimum distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 19% reduction).
4. Reduce the separation for a vehicle wash to a residential use to 150 feet where 200 feet is required per Table 30.44-1 (a 25% reduction).
5. Reduce trash enclosure setback (west) from a residential development to 36 feet where a minimum of 50 feet is required per 30.56.120 (a 48% reduction).

### DESIGN REVIEWS:

1. Convenience store.
2. Gasoline station (fuel canopy).
3. Vehicle wash.
4. Restaurant with drive-thru.
5. Retail buildings.
6. Increase the finished grade to 30 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 67% increase).
7. Allow 1 landscape island finger per 18 parking spaces where 1 landscape finger island per 6 parking spaces is the standard per Figure 30.64-14.

### BACKGROUND:

#### Project Description

##### General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Gas station/vehicle wash
- Number of Stories: 1
- Building Height: 27 feet, 9 inches
- Square Feet: 11,000 (retail)/4,000 (convenience store)
- Parking Required/Provided: 60/60

### History & Site Plan

This site was approved for a commercial complex including a convenience store with gasoline pumps, vehicle wash, restaurant with a drive-thru and a retail building. Five of the 10 original requested waivers were withdrawn during the public hearing. Revised plans were submitted after the original town board meeting but prior to the Board of County Commissioners meeting. The following text narrates the updated information included in the revised plans for UC-21-0188. The C-1 zoned property is bordered by developed residential on the west and east and undeveloped planned and zoned residential on the south. The approved uses have a total of 60 parking spaces where 60 parking spaces are required. The property is accessed from Windmill Lane on the north and Decatur Boulevard from the east. A bus lane is being developed as part of the right turn lane along Decatur Boulevard, south of Windmill Lane and adjacent to the east property line. The approved retail building is oriented from north to south near the western property line. The convenience store and associated gas station with canopy are located on the east side of the retail building. The vehicle wash is located on the north side of the convenience store, adjacent to Windmill Lane. Vehicle wash access proceeds from west to east on the north side of the convenience store. The vehicle wash service bay doors face east and west, with landscaping between a detached sidewalk on the north.

The setbacks for the convenience store, fuel canopy, and vehicle wash are as follows:

- The convenience store is set back 135 feet and 7 inches from the western property line (residential development) and 53 feet 7 inches from the northern property line (section line).
- The fuel canopy is located approximately 59 feet south of the convenience store and covers 6 fuel islands. The fuel canopy is 131 feet from the west property line (residential), 57 feet 7 inches from the east property line (residential development is across the street), and 80 feet to the south property line (residential).
- The vehicle wash is set back 150 feet from the west property line (residential development).

The approved retail building is set back 23 feet 6 inches from the west property line and will include up to 9 possible lease spaces and will include a drive-thru entering from the northwest portion of the building turning south and exiting at the southeast. The approved talk box is located on the southwest side of the retail building, adjacent to the residential development to the west. An approved trash enclosure and loading zone are located on the north edge of the retail building, with another trash enclosure located on the southwest corner of the convenience store. The trash enclosure adjacent to the retail building is located 36 feet 7 inches from the west property line and residential uses. The required pedestrian walkway around the retail building is 5 feet along the west and 6 feet along the north, south, and east of the building. The pedestrian walkway adjacent to the east wall of the convenience store is 5 feet 6 inches. The applicant will provide lighting that meets Title 30 requirements, with 20 foot high down shielded lighting poles and wall lights. Bike racks are provided for both buildings and pedestrian pathways are provided in parking areas.

### Landscaping

The landscape plan depicts a 10 foot 6 inch landscape strip meeting Figure 30.64-11 with trees every 20 feet on center along the south property line. An 18 foot 6 inch wide landscape strip with

2 rows of trees is shown along the west property line, per the conditions of approval. Those areas of the landscaping that require detached sidewalks adjacent to Windmill Lane and Decatur Boulevard are landscaped in accordance with Figure 30.64-17, including associated trees and shrubs. The approved plans depict 1 landscape finger island per 6 parking spaces as required per Figure 30.64-14. The applicant is providing 5 medium trees in excess of the minimum number required. The revised plans meet Figure 30.64-12 requirements per conditions of approval for the original use permit.

### Elevations

The approved retail store elevations depict an in-line retail building with 2 parapet elevations ranging between 23 feet and 28 feet. The approved building is constructed of stucco exteriors and includes fabric canopy covers over the pedestrian walkways and above dark bronze glazed aluminum storefront systems. The approved parapet walls shield the mechanical equipment from view by the public and adjacent residential. The approved convenience store elevations depict the same type of construction, with fabric canopy covers over similar aluminum storefront windows and entrance. The approved convenience store height is 31 feet 6 inches at the highest point on the south side of the building. The approved vehicle wash is 19 feet 10 inches in height at the north side of the building. The portion of building surrounding the vehicle wash is single color stucco siding with no wall enhancements or architectural treatments. The approved north side elevation (vehicle wash) is single color stucco with no wall enhancements, material upgrades, or architectural features.

### Floor Plans

The approved plans depict a 2.5 acre property with an 10,500 square retail building, 3,500 square foot convenience store with attached vehicle wash, and 3,096 square foot fuel canopy, and drive-thru restaurant.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0188:

#### Current Planning

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

#### Public Works - Development Review

- Drainage study and compliance;

- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet to the back of curb for Windmill Lane, 60 feet for Decatur Boulevard, and a 54 foot property line radius spandrel at the northeast corner of the site;
- 90 days to record required right-of-way dedications and any corresponding easements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination bus turnout/right turn lane, including passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### Department of Aviation

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

#### Building Department - Fire Prevention

- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0049-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**Applicant's Justification**

In the past year, the applicant has obtained a tenant for the approved convenience store. The new tenant is anxious to obtain approvals and secure permits for project development. It has been determined that 2 years was not enough time to commence the project, as stipulated with original approval in 2021. The applicant is requesting an additional 2 years for building permits to be obtained.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-21-0287	Vacated and abandoned easements of interest between Windmill Lane and Mistral Avenue	Approved by PC	August 2021
TM-21-500090	1 lot commercial subdivision on 2.5 acres in a C-1 zone	Approved by PC	August 2021
UC-21-0188	Use permits, waiver, and design reviews for a convenience store, gas station, and vehicle wash	Approved by BCC	June 2021
ZC-0135-07	Reclassified from R-E to C-1 zoning	Approved by BCC	March 2007

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	C-2	Trash enclosure & parking lot
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Vacant
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-2	Single family residential

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws

or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds the applicant has taken steps towards commencing the approved project. A tentative map, TM-21-500090, was approved for a 1 lot commercial subdivision for the project site. A traffic study is currently under review by The Department of Public Works, PW23-14760, and a drainage study has been approved, PW23-11655. Therefore, staff can support the extension of time request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until August 3, 2025 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

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

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: JOHN D. BURKE**

**CONTACT: JOHN DAVID BURKE ARCHITECT, 6780 S. FORT APACHE ROAD, SUITE  
110, LAS VEGAS, NV 89148**

**DRAFT**





# LAND USE APPLICATION 2A

## 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 (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-21-0188 (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>ET-23-400097</u>      DATE FILED: <u>6/8/2023</u></p> <p>PLANNER ASSIGNED: <u>T.D.</u></p> <p>TAB/CAC: <u>enterprise</u>      TAB/CAC DATE: <u>7/10/2023</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>8/16/2023</u></p> <p>FEE: <u>\$ 900.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Remington Ute, LLC - c/o Remington JV, LLC</u></p> <p>ADDRESS: <u>5920 South Rainbow Blvd., Suite 11</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-876-4863</u>      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>Same as property owner</u></p> <p>ADDRESS: _____</p> <p>CITY: _____      STATE: _____      ZIP: _____</p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>John David Burke, Architect</u></p> <p>ADDRESS: <u>6780 South Fort Apache Road, #110</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-876-4863</u>      CELL: _____</p> <p>E-MAIL: <u>jburke@jburkearchitect.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-13-501-008

PROPERTY ADDRESS and/or CROSS STREETS: SWC Decatur & Windmill

PROJECT DESCRIPTION: To construct a new retail center with in-line shops, a convenience store w/ pumps & carwash

(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)\*      David Delzotto, Mgr., Remington JV, LLC  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 8, 2023 (DATE)

By David Delzotto

NOTARY PUBLIC: Rose F. Jaramillo



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

01 01 70047

# John David Burke, Architect, a Professional Corporation

June 8, 2023

**CLARK COUNTY DEPARTMENT OF CURRENT PLANNING**

500 South Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89155-3530

**Re: Justification Letter - Extension of Time (UC-21-0188)  
Shopping Center w/ Convenience Store w/ Gas Pumps & Carwash  
SWC Decatur Boulevard & Windmill Lane  
For: Remington Ute, LLC  
APN #: 176-13-501-008**

**Extension of Time (UC-21-0188)**

The application submitted today is to seek an extension of time for UC-21-0188. This is a 2.5 acre site at the southwest corner of Decatur Boulevard & Windmill Lane in the unincorporated township of Enterprise. The project is a single story shopping center with in-line retail/restaurant lease spaces and a convenience store with gasoline pumps and an attached carwash.

The applicant/property owner in the past year has secured the tenant/operator for the convenience store. That would be Herbst Development, LLC. Herbst is anxious to secure their approvals and pull their permits to construct their project, but as you can imagine, 2 years is a very short time period to achieve these goals. This a first extension of time request and the Herbsts and their team will be working diligently to make this project a reality as soon as possible.

We respectfully request your approval of this application. If you have any questions or comments, please call.

Sincerely,



**JOHN DAVID BURKE, Architect**

ACCESSORY STRUCTURE  
(TITLE 30)

RANCHO DESTINO RD/MESA VERDE LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400101 (UC-21-0329)-MARUNDE BRISTOL:**

**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) allow an accessory building (garage) to exceed one half the footprint of the principal dwelling; 2) allow cumulative area of accessory structures to exceed the footprint of the principal dwelling; and 3) alternative design standards.

**WAIVER OF DEVELOPMENT STANDARDS** to allow non-standard improvements (landscaping, driveway, and fence) within the right-of-way in conjunction with a single family residential home on 0.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Rancho Destino Road and the north side of Mesa Verde Lane within Enterprise. MN/mh/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-09-303-031

**USE PERMITS:**

1. Allow the area of a proposed accessory building (garage) to be 5,000 square feet where an accessory building with a maximum area of 963 square feet (one half the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 419% increase).
2. Allow the cumulative area of all accessory structures to be 5,400 square feet where a maximum area of 1,926 square feet (100% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 180% increase).
3. Allow a metal roof where not permitted per Table 30.56-2A.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 156 Mesa Verde Lane
- Site Acreage: 0.9
- Project Type: Accessory structure
- Number of Stories: 2
- Building Height (feet): 22
- Square Feet: 1,926 (home)/922 (casita)/5,000 (garage)

### Site Plans

The approved plans depict an existing 1,926 square foot home on 0.9 acres with a 922 square foot casita and a proposed 2 story 5,000 square foot garage/barn. Two additional 200 square foot sheds are located in the middle of the lot and 20 feet from the south property line. The lot is accessed from a driveway connecting Mesa Verde Lane and Rancho Destino Road at the southwest corner of the property. The casita is located north of the existing home on the west side of the lot. The proposed garage/barn structure will be located on the east side of the lot and will be set back 36 feet from the east property line, 20 feet from the south property line, and 10 feet from the north property line.

### Landscaping

The owner has planted several trees and shrubs in the right-of-way, along with a 3 foot open fence and portions of 2 paved driveways. These are considered non-standard improvements within County right-of-way that require a waiver of development standards and maintenance agreement.

### Elevations

The existing home is a single story ranch style structure with stucco siding and asphalt shingle roofing. The casita has similar architecture and is constructed with similar siding and roof materials. The approved plans show the proposed accessory structure (garage/barn) having stucco siding to match the materials of the house and casita, but with a metal roof. The approved garage will be constructed to have a barn like appearance that matches the colors of the principal home. Eight large windows and 8 smaller windows are shown on the west facing side of the garage. A second floor covered balcony extends the full length of the garage from north to south on the west side of the building. Transparent windows face north and south on the second level of the garage. There is no floor between the windows on the second level. The only second story floor will be a 13.5 foot walkway connecting two staircases immediately adjacent to the balcony on the west side of the garage.

### Floor Plans

The approved plans depict a garage footprint of 5,000 square feet (50 feet by 100 feet). A second floor covered balcony extends the full length of the garage from north to south on the west side of the building. A covered walkway is located below the balcony on the first level. The balcony is 17 feet wide and is accessed from a 13.5 foot wide interior second floor space that runs from north to south.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0329:

#### Current Planning

- Applicant to install an approved hard surface driveway to access the garage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

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

**Public Works – Development Review**

- Building permits shall not be issued until an application for a vacation of patent easements is accepted;
- No final building permit inspections until the vacation of patent easements is approved;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

**Southern Nevada Health District (SNHD) – Septic**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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

- Applicant is advised that the property appears to have an existing septic system; to please contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; that location of existing public sanitary sewer is greater than 400 feet from the parcel; and that upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

**Applicant's Justification**

The applicant indicates that there was a miscommunication regarding required setbacks from an easement, which forced the proposed structure to be set back farther from the property line than would otherwise be required. The applicant is in the process of vacating this easement to allow the structure to be closer to the property line and is requesting an extension of time to allow for this vacation to be approved and recorded.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0329	Accessory structure exceeding one half of the principal dwelling footprint	Approved	August 2021

**Surrounding Land Use**

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

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The applicant has made progress toward commencement and is in the application pre-review process for a vacation and abandonment (APR-23-100294) that will allow the project to move forward. Therefore, staff can support this request for a 2 year 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:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: BRISTOL MARUNDE**

**CONTACT: BRISTOL MARUNDE, 156 E. MESA VERDE LN, LAS VEGAS, NV 89123**

DRAFT





PLANNER COPY 3A



# 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 (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-21-0329 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	<b>APP. NUMBER:</b> <u>ET-23-400101</u> <b>DATE FILED:</b> <u>6/2/23</u> <b>PLANNER ASSIGNED:</b> <u>MH</u> <b>TAB/CAC:</b> <u>Enterprise</u> <b>TAB/CAC DATE:</b> <u>8/9/23</u> <b>PC MEETING DATE:</b> <u>9/5/23</u> <b>BCC MEETING DATE:</b> <u>N/A</u> <b>FEE:</b> <u>5000</u>
	<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>Bristol Marunde</u> <b>ADDRESS:</b> <u>156 E Mesa Verde Ln</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89123</u> <b>TELEPHONE:</b> <u>253-682-8726</u> <b>CELL:</b> _____ <b>E-MAIL:</b> <u>bristolmarunde@gmail.com</u>
	<b>APPLICANT</b>	<b>NAME:</b> <u>Same as above</u> <b>ADDRESS:</b> _____ <b>CITY:</b> _____ <b>STATE:</b> _____ <b>ZIP:</b> _____ <b>TELEPHONE:</b> _____ <b>CELL:</b> _____ <b>E-MAIL:</b> _____ <b>REF CONTACT ID #:</b> _____
	<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Same as above</u> <b>ADDRESS:</b> _____ <b>CITY:</b> _____ <b>STATE:</b> _____ <b>ZIP:</b> _____ <b>TELEPHONE:</b> _____ <b>CELL:</b> _____ <b>E-MAIL:</b> _____ <b>REF CONTACT ID #:</b> _____

**ASSESSOR'S PARCEL NUMBER(S):** 177-09-303-031

**PROPERTY ADDRESS and/or CROSS STREETS:** 156 E Mesa Verde Ln Las Vegas NV 89123

**PROJECT DESCRIPTION:** Build Barn on East side of property

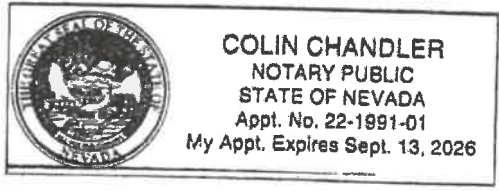
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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


Bristol Marunde  
Property Owner (Print)

Property Owner (Signature)\*  
 STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 20<sup>th</sup> 2023 (DATE)  
 By Bristol G Marunde

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.

E 1-13-400101

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

To whom it may concern,

I am requesting an extension of time for the UC-21-0329 application as there was a miscommunication with building being setback from the property line. I am vacating an easement to be able to build my Barn building at 5ft from property line and not the 30' allowed because of the easement in place. I need more time to be able to complete all of this.

Thank you,

Bristol Marunde



253.682.8726

[bristolmarunde@gmail.com](mailto:bristolmarunde@gmail.com)

156 E. Mesa Verde Ln

Las Vegas, NV 89123

EASEMENTS AND RIGHTS-OF-WAY  
(TITLE 30)

ELDORADO LN/ LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400104 (VS-19-0401) -DESERTXPRESS ENTERPRISES, LLC:**

**VACATE AND ABANDON SECOND EXTENSION OF TIME** easements of interest to Clark County located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15 and portions of a right-of-way being Robindale Road located between Las Vegas Boulevard South and I-15, Moberly Avenue located between Las Vegas Boulevard South and I-15, Eldorado Lane located between I-15 and Las Vegas Boulevard South, and Ensworth Street located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/rp/syp (For possible action)

RELATED INFORMATION:

**APN:**

177-08-601-001 through 177-08-601-006; 177-08-601-008; 177-08-701-001 through 177-08-701-004; 177-08-701-008 through 177-08-701-012; 177-08-701-014

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

History and Request

The previously approved site plan depicts a vacation and abandonment of government patent easements all located south of Eldorado Lane, east of the I-15, west of Las Vegas Boulevard South, and north of Mesa Verde Lane (alignment). Per the plans on file, the portions of rights-of-way to be vacated include Robindale Road (alignment), Moberly Avenue, a cul-de-sac bulb and attached right-of-way on Ensworth Street (alignment) south of Eldorado Lane. Per the applicant, approval of this application will allow for future development on the site, and the listed patent easements and rights-of-way are not needed for the applicant's project.

In 2022, an extension of time was approved (ET-21-400070). The applicant is requesting an additional 2 year.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400070 (VS-19-0401):

**Current Planning**

- Until July 2, 2023 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.

#### 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-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-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 H2O loading and is maintained by fee owner.

Listed below are the approved conditions for VS-19-0401:

#### 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 and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200-foot-wide right-of-way;
- Right-of-way dedication to include 80 feet for Robindale Road, 60 feet for the frontage road, 30 feet for Eldorado Lane, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), construct a standard bus stop with a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on the west side of Las Vegas Boulevard South, just south of and as close to practical to both the Eldorado Lane and Robindale Road alignments;
- 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.

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

- CCWRD has existing or proposed assets within the area proposed to be vacated per VS-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-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 has a drainage study and complete plans approved by FEMA and Clark County, and is continuing to establish the route, and finalizing all other matters related to the establishment of its "High Speed Train." It has taken significant time working with the government and non-governmental entities to secure the required route. The applicant has completed the schematic design of the station and part of the design development phase. The next phase will be for construction drawings. Therefore, the applicant is requesting to second extension of time to record the order of the vacation.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400049 (UC-20-0049)	Second extension of time for passenger terminal at a train station	Approved by BCC	June 2023
ADET-22-900161 (UC-20-0049)	First extension of time for a use permit for passenger terminal at a train station	Approved by ZA	March 2022
ET-21-400070 (VS-19-0401)	First extension of time for a vacation and abandonment of easements of interest to Clark County	Approved by PC	June 2021
UC-20-0049	Passenger terminal at a train station	Approved by BCC	March 2020
WS-19-0400	Waiver of development standards for landscaping and to allow non-standard improvements within the right-of-way in conjunction with future development	Approved by PC	July 2019
VS-19-0401	Vacate and abandon easements of interest to Clark County	Approved by PC	July 2019
TM-19-500108	1 lot commercial subdivision	Approved by PC	July 2019
ET-0034-17 (ZC-14-0620)	First extension of time to allow future development, expand Gaming Enterprise District, allow a High Impact Project, and other commercial uses; waivers and deviations for reduced parking and encroachment into airspace, and design reviews for all applicable uses on-site – expired	Approved by BCC	May 2017
ZC-0620-11 (WC-Q156-12)	Waived the dedication of frontage road per the Transportation Element and replaced it with the reservation of frontage road per the Transportation Element	Approved by BCC	March 2013
TM-0071-12	1 lot commercial subdivision – expired	Approved by PC	September 2012

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0620-11	Reclassified 110 acres from R-E, C-1, M-D, H-1, and H-2 zoning to H-1 (AE-60 & AE-65) zoning; use permits to allow an expansion of the Gaming Enterprise District (eastern portion), allow a High Impact Project, with deviations/waivers for reduced on-site parking (including non-gaming) and encroachment into airspace; design reviews for a resort hotel, high rise towers and hotel condominiums, convention center, and mid/low-rise buildings; zoning is permanent, all other applications expired	Approved by BCC	April 2012

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
East	Entertainment Mixed-Use	H-1	Shopping center & restaurants
West	Entertainment Mixed-Use	M-D	Warehouses

**Related Applications**

Application Number	Request
ET-23-400105 (WS-19-0400)	First extension of time for following; landscaping; and allow non-standard improvements within the right-of-way in conjunction with future 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**

**Comprehensive Planning**

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

The applicant has taken steps to commence with the development as previously approved. The applicant has been working with government and non-governmental entities to secure the

required route. A drainage study (PW19-14302) has also been approved. Therefore, staff can support the extension of time request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until July 2, 2025 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DESERTXPRESS ENTERPRISES, LLC

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







# LAND USE APPLICATION 4A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p><small>(ORIGINAL APPLICATION #)</small></p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) VS-19-0401 (ET-21-400070) <small>(ORIGINAL APPLICATION #)</small></p> <p><input type="checkbox"/> APPLICATION REVIEW (AR) <small>(ORIGINAL APPLICATION #)</small></p>	<b>STAFF</b>	<p>APP. NUMBER: <u>ET-23-400104</u>      DATE FILED: <u>6/29/2023</u></p> <p>PLANNER ASSIGNED: <u>R.P.</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>8/9/2023</u></p> <p>PC MEETING DATE: <u>9/5/2023</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$300.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>DesertXpress Enterprises, LLC</u></p> <p>ADDRESS: <u>6700 Austl Parkway, Suite B</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: <u>Kolleen.Cobb@feci.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>DesertXpress Enterprises, LLC</u></p> <p>ADDRESS: <u>6700 Austl Parkway, Suite B</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: <u>Kolleen.Cobb@feci.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Chris Kaempfer - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u>      CELL: _____</p> <p>E-MAIL: <u>ckaempfer@kcnvlaw.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-08-601-001 through 006, 177-08-601-008, 177-08-701-001 through 004, 177-08-701-006, 177-08-701-011 and 012, 177-08-701-014, and 177-08-789-000

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd / Blue Diamond

PROJECT DESCRIPTION: ET for ET-21-400070 (VS-19-0401)

(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.

Kolleen Cobb Vice President of DesertXpress Enterprises, LLC  
 Property Owner (Print)

STATE OF Florida  
COUNTY OF MIAMI-DADE

SUBSCRIBED AND SWORN BEFORE ME ON 10-22-2023 (DATE)  
By Kolleen Cobb Vice President of DesertXpress Enterprises, LLC

NOTARY PUBLIC: Jessica Perez



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

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

KAEMPFER

CROWELL

CHRISTOPHER L. KAEMPFER  
[ckaempfer@kcnvlaw.com](mailto:ckaempfer@kcnvlaw.com)  
D: 702.792.7054

June 23, 2023

**VIA HAND DELIVERY**

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

**Re:** Re: VS-19-0401-LSREF Exhibition Investment, LLC

To Whom It May Concern:

This office represents the applicant in the above referenced matter.

On July 2, 2019, a vacation and abandonment application was approved by the County with regard to the vacation of certain easements of interest located in Clark County, Nevada. Such easements are more particularly described in the filed application and in the Planning staff report that was prepared in conjunction with that application. The application was approved with the Current Planning Condition that "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." That expiration date was July 2, 2021. An extension of that initial date was subsequently approved to July 2, 2023. The present application seeks to extend the required completion date on this vacation and abandonment until July 2, 2025.

Importantly, on Wednesday, June 21, 2023, the Clark County Commission approved the companion and principal application related to this vacation and abandonment; that being application number ET-23-400049. The extension of ET-23-400049 was granted by the County Commission until March of 2025. The reasons for the granting by the County Commission of ET-23-400049 were set forth in the justification letter that accompanied that extension request. In that justification letter it was stated, "***Brightline West ("Brightline") has continued to work diligently toward development of the high-speed rail system. In October 2022, Brightline executed an agreement with the City of Rancho Cucamonga, California and the San Bernardino County Transportation Authority (SBCTA) that will provide Brightline with control of the property it requires for the final mile of its alignment connecting from Interstate 15 to the Brightline station in Rancho Cucamonga as well as Brightline's Rancho Cucamonga station site. Earlier in the year, Brightline and SBCTA executed a lease for additional property needed along that final mile of the system. The California Department of Transportation ("Caltrans") and Brightline have previously executed an agreement for Brightline to use a portion of the Interstate 15 corridor from the state line to Victor Valley for the high-speed rail line. Caltrans and Brightline have prepared a similar lease agreement to connect the Victor Valley station with Rancho Cucamonga that will shortly go through a public notice process in advance of execution. The proposed Environmental Assessment for the Victor Valley/Rancho Cucamonga project has been circulated for public comment and the remaining environmental permitting for the system is***

*expected to be completed within a short time. Of particular relevance for financing, Brightline has been working with the Nevada Department of Transportation ("NDOT") to explore applying for a significant federal grant through the 2021 Infrastructure Investment and Jobs Act. Brightline is working diligently to assist NDOT with preparing an application to meet the April 21, 2023 deadline for the grant application.*

*With regard to the project site, itself, the applicant has advised this office of the following: "We have a drainage study and complete plans approved by FEMA and Clark County. Included storm water for on site and any pre-existing water coming onto the site from I-15 or under I-15. It includes mass grading design for entire acreage.... There was a traffic study done as part of our National Environmental Policy Act ("NEPA") approvals with mitigations determined for train station trips only. Also in 2020, we did a study for the benefit of discussions with NDOT. We have completed Schematic design of the station and part of the design development phase. The construction drawings phase follows."*

The same reasons (as noted above) which justified the approval of the extension of time for ET-23-400049 attend here with regard to this requested extension of VS-19-0401.

While the applicant has worked, and is continuing to work, very diligently in establishing the route, and finalizing all other matters related to the establishment of its "High Speed Train", it has taken significant time working with the above referenced governmental and non-governmental entities, to secure that required route. For this reason, this request to allow a further extension of time until July 2, 2025 to record the order of vacation is both needed and justified.

Thank you very much for your consideration of this important matter.

Sincerely,  
KAEMPFER CROWELL



Christopher L. Kaempfer

CLK/lak



NON-STANDARD IMPROVEMENTS  
(TITLE 30)

ELDORADO LN/LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400105 (WS-19-0400)-DESERTXPRESS ENTERPRISES, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) landscaping; and 2) allow non-standard improvements within the right-of-way in conjunction with future development on a portion of 110 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone in the MUD-1 and MUD-2 Overlay Districts.

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

RELATED INFORMATION:

**APN:**

177-08-601-001 through 177-08-601-006; 177-08-601-008; 177-08-701-001 through 177-08-701-004; 177-08-701-008 through 177-08-701-012; 177-08-701-014 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive on-site landscaping where required per Table 30.64-2.
2. Allow proposed non-standard improvements (landscaping) within the right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 110 (portion)
- Project Type: Non-standard improvements (landscaping) within the right-of-way

Site Plan

The approved plans depict future development on a 110 gross acre site. The applicant processed a 1 lot commercial subdivision on the subject property and proposed to dedicate rights-of-way along Las Vegas Boulevard South and Eldorado Lane. The applicant proposed to install detached sidewalks (5 feet wide) and a 5 foot wide landscape area in the right-of-way along Las Vegas Boulevard South.

### Landscaping

Per the approved landscape plans, the planting palette includes the following: 36 inch box canopy trees, 24 inch box trees for screening, 1 gallon minimum shrubs, 1 gallon minimum groundcover, and 5 gallon minimum vines.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-19-0400:

#### 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 4 years of approval date or it will expire.

#### Public Works – Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Traffic study shall be required with future development;
- Right-of-way dedication and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Right-of-way dedication to include 80 feet for Robindale Road, 60 feet for the frontage road, 30 feet for Eldorado Lane, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), construct a standard bus stop with a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on the west side of Las Vegas Boulevard South, just south of and as close to practical to both the Eldorado Lane and Robindale Road alignments;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required.
- 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.

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

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; you may find instruction for submitting a Point of Connection (POC) request on the District's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

**Applicant's Justification**

The applicant indicates that progress has been made toward the development of the approved high-speed rail system. Agreements have been made with multiple government agencies in California as the project continues toward commencement. A public notice and comment process is still underway as the applicant continues to work with the involved agencies to receive the necessary permits. The applicant is also coordinating with the Nevada Department of Transportation (NDOT) to apply for federal financial grants. A drainage study, grading design, and traffic study have also been completed. The applicant requests a 2 year extension of time to complete the ongoing permit processes and continue toward the formal commencement of the project.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400049 (UC-20-0049)	Second extension of time for a passenger terminal at a train station	Approved by BCC	June 2023
ADET-22-900161 (UC-20-0049)	First extension of time for a use permit for a passenger terminal at a train station	Approved by ZA	March 2022
ET-21-400070 (VS-19-0401)	First extension of time to vacate and abandon easements of interest to Clark County	Approved by PC	June 2021
UC-20-0049	Passenger terminal at a train station	Approved by BCC	March 2020
WS-19-0400	Waived landscaping and to allow non-standard improvements within the right-of-way in conjunction with future development	Approved by PC	July 2019
VS-19-0401	Vacated and abandoned easements of interest to Clark County	Approved by PC	July 2019
TM-19-500108	1 lot commercial subdivision	Approved by PC	July 2019
ZC-11-0620 (ET-0034-17)	First extension of time to allow future development, expand the Gaming Enterprise District, allow a High Impact Project, and other commercial uses; with waivers and deviations for reduced parking and encroachment into airspace, and design reviews for all applicable uses on-site - expired	Approved by BCC	May 2017

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0620-11 (WC-0156-12)	Waived the dedication of frontage road per the Transportation Element and replaced it with the reservation of frontage road per the Transportation Element - expired	Approved by BCC	March 2013
TM-0071-12	1 lot commercial subdivision - expired	Approved by PC	September 2012
ZC-0620-11	Reclassified 110 acres from R-E, C-1, M-D, H-1, and H-2 zoning to H-1 (AE-60 & AE-65) zoning; with use permits to allow an expansion of the Gaming Enterprise District (eastern portion), allow a High Impact Project, with deviations/waivers for reduced on-site parking (including non-gaming) and encroachment into airspace; and design reviews for a resort hotel, high rise towers and hotel condominiums, convention center, and mid/low-rise buildings; zoning is permanent, all other applications - expired	Approved by BCC	April 2012

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
East	Entertainment Mixed-Use	H-1	Shopping center & restaurants
West	Entertainment Mixed-Use	M-D	Warehouses

**Related Applications**

Application Number	Request
ET-23-400104 (VS-19-0401)	A second extension of time to vacate and abandon patent easements and rights-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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 made progress toward the commencement of the project by completing a drainage study (PW19-14302) and structural study (PW19-16750) with the Public Works Department, along with several other studies and reviews with other governmental agencies. Due to this demonstrated progress and the significant scope of the project, staff can support an extension of time for 2 years.

**Public Works - Development Review**

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

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until July 2, 2025 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DESERTXPRESS ENTERPRISES, LLC  
**CONTACT:** CHRISTOPHER KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL  
PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT



# LAND USE APPLICATION

# 5A

## 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 (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) WS-19-0400 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-23-400105</u> DATE FILED: <u>6/29/2023</u> PLANNER ASSIGNED: <u>M.H.</u> TAB/CAC: <u>enterprise</u> TAB/CAC DATE: <u>8/9/2023</u> PC MEETING DATE: <u>9/5/2023</u> BCC MEETING DATE: _____ FEE: <u>\$300.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>DesertXpress Enterprises, LLC</u> ADDRESS: <u>6700 Austi Parkway, Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>Kolleen.Cobb@feci.com</u>
	<b>APPLICANT</b>  NAME: <u>DesertXpress Enterprises, LLC</u> ADDRESS: <u>6700 Austi Parkway, Suite B</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>Kolleen.Cobb@feci.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Chris Kaempfer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>ckaempfer@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-08-601-001 through 008 177-08-601-008 177-08-701-001 through 004, 177-08-701-008 177-08-701-011 and 012, 177-08-701-014, and 177-08-705-000

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd / Blue Diamond

PROJECT DESCRIPTION: ET for WS-19-0400

(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) Kolleen Cobb, Vice President of DesertXpress Enterprises, LLC

STATE OF Florida  
COUNTY OF Miami-Dade

SUBSCRIBED AND SWORN BEFORE ME ON 6-22-2023 (DATE)  
By Kolleen Cobb, as Vice President of DesertXpress Enterprises, LLC

NOTARY PUBLIC: Jessica Perez



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

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

KAEMPFER

CROWELL

CHRISTOPHER L. KAEMPFER  
[ckaempfer@kcnvlaw.com](mailto:ckaempfer@kcnvlaw.com)  
 D: 702.792.7054

June 23, 2023

**VIA HAND DELIVERY**

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

**Re:** WS-19-0400-LSREF Exhibition Investment, LLC

To Whom It May Concern:

This office represents the applicant in the above referenced matter. On July 2, 2019, a waiver of development standards application (WS-19-0400) was approved by the County with regard to the following: *"1) landscaping; and 2) allow non-standard improvements within the right-of-way in conjunction with future development on a portion of 110 acres in an H-1 (Limited Resort and Apartment) (AE-60) & (AE-65) Zone in the MUD-1 and MUD-2 Overlays Districts. Generally located on the south side of Eldorado Lane and the west side of Las Vegas Boulevard South within Enterprise."* The application was approved with the Current Planning Condition that... "this application must commence within 4 years of approval date or it will expire." That expiration date is July 2, 2023. This present application (*which is the first extension of time*) seeks to extend the required completion date on this waiver of development standards from July 2, 2023 until July 2, 2025.

Importantly, on Wednesday, June 21, 2023, the Clark County Commission approved the companion and principal application related to this waiver of development standards application; that being application number ET-23-400049. The extension of ET-23-400049 was granted by the County Commission until March of 2025. The reasons for the granting by the County Commission of ET-23-400049 were set forth in the justification letter that accompanied that extension request. In that justification letter, it was stated, *"Brightline West ("Brightline") has continued to work diligently toward development of the high-speed rail system. In October 2022, Brightline executed an agreement with the City of Rancho Cucamonga, California and the San Bernardino County Transportation Authority (SBCTA) that will provide Brightline with control of the property it requires for the final mile of its alignment connecting from Interstate 15 to the Brightline station in Rancho Cucamonga as well as Brightline's Rancho Cucamonga station site. Earlier in the year, Brightline and SBCTA executed a lease for additional property needed along that final mile of the system. The California Department of Transportation ("Caltrans") and Brightline have previously executed an agreement for Brightline to use a portion of the Interstate 15 corridor from the state line to Victor Valley for the high-speed rail line. Caltrans and Brightline have prepared a similar lease agreement to connect the Victor Valley station with Rancho Cucamonga that will shortly go through a public notice process in advance of execution. The proposed Environmental Assessment for the Victor Valley/Rancho Cucamonga project has been circulated for public comment and the remaining environmental permitting for*

*the system is expected to be completed within a short time. Of particular relevance for financing, Brightline has been working with the Nevada Department of Transportation ("NDOT") to explore applying for a significant federal grant through the 2021 Infrastructure Investment and Jobs Act. Brightline is working diligently to assist NDOT with preparing an application to meet the April 21, 2023 deadline for the grant application.*

*With regard to the project site, itself, the applicant has advised this office of the following: 'We have a drainage study and complete plans approved by FEMA and Clark County. Included storm water for on site and any pre-existing water coming onto the site from I-15 or under I-15. It includes mass grading design for entire acreage....There was a traffic study done as part of our National Environmental Policy Act ("NEPA") approvals with mitigations determined for train station trips only. Also in 2020, we did a study for the benefit of discussions with NDOT. We have completed Schematic design of the station and part of the design development phase. The construction drawings phase follows.'*

The same reasons (as noted above) which justified the approval by the County Commission of the extension of time for ET-23-400049 attend here with regard to this requested extension of WS-19-0400. Again, this is the first requested extension of time.

While the applicant has worked, and is continuing to work, very diligently in establishing the route, and in finalizing all other matters related to the establishment of its "High Speed Train", it has taken significant time working with the above referenced governmental and non-governmental entities to secure that designated route. For this reason, this request to allow an extension of time of WS-19-0400 until July 2, 2025 to "commence" is both needed and justified.

Thank you very much for your consideration of this important matter.

Sincerely,  
KAEMPFER CROWELL



Christopher L. Kaempfer

CLK/lak



09/05/23 PC AGENDA SHEET

SERVICE BAR  
(TITLE 30)

BLUE DIAMOND RD/CIMARRON RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0395-RIVIERA SHOPPING CENTER LTD:**

**USE PERMIT** for a service bar in conjunction with an existing restaurant within a shopping center on a portion of 3.9 acres in a C-1 (Local Business) Zone.

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

RELATED INFORMATION:

**APN:**  
176-21-214-002 ptn; 176-21-318-001

**LAND USE PLAN:**  
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9265 Cimarron Road
- Site Acreage: 3.9 (portion)
- Project Type: Service bar in conjunction with an existing restaurant
- Number of Stories: 1
- Square Feet: 2,065 restaurant (indoor dining)

Site Plans

The plans depict an existing restaurant (Kabob Grill) located within the western suite of the northeastern building within the C-1 zoned portion of the retail center with the bank building located in the H-2 zoned portion of the retail center. Access to the site is from Cimarron Road with parking located internally to the site. The main entrance of the restaurant faces south.

Landscaping

There are no proposed changes to the existing landscaping.

Elevations

There are no proposed changes to the existing retail building which includes painted stucco with stone encased architectural details, undulating facia, and metal canopy awnings.

### Floor Plans

The existing restaurant includes 2,065 square feet of dining, restrooms, and kitchen areas.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the proposed service bar use will be associated with the existing restaurant. The existing business hours are Monday through Friday 11:00 a.m. to 8:30 p.m.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-22-0681	Sporting goods with firearms in conjunction with a pawn shop	Approved by PC	February 2023
UC-22-0316	Pawn shop and signage	Approved by PC	July 2022
UC-22-0253	Hookah lounge (subject business)	Approved by PC	June 2022
NZC-0344-13	Reclassified 2.7 acres to C-1 zoning for a portion of an existing retail center	Approved by BCC	September 2013
UC-0203-13	Commercial uses in an H-2 zoned commercial center	Approved by PC	June 2013
UC-0534-10	Convenience store with alcohol sales, packaged only (beer, wine, and liquor)	Approved by BCC	December 2010
UC-0626-08	Service bar in conjunction with a proposed restaurant	Approved by PC	August 2008
WS-0182-07	Alternative landscaping materials and alternative landscape buffer standards with a design review for modifications to an approved commercial development	Approved by PC	March 2007
WS-1709-06	Allowed no sidewalks along Blue Diamond Road	Approved by BCC	January 2007
UC-1138-06	Retail commercial development with a design review for retail and service center in an H-2 zone	Approved by BCC	November 2006

### **Surrounding Land Use**

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

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



## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive Planning**

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

The intent of the C-1 zoning district is to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. Staff does not anticipate any adverse impacts from a service bar in conjunction with the previously approved restaurant and hookah lounge, and finds that the use is compatible with the C-1 zoning district and existing developments in the surrounding area. The proposed use is in the northeastern building on the site, adjacent to Blue Diamond Road and Cimarron Road, with a building separating the proposed use from the residential development to the west. The use does not place additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends approval.

#### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

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

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

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** YASMINE AMOURI

**CONTACT:** RAHUL SODHI, SODHI & COMPANY, 4485 SOUTH BUFFALO DR, LAS VEGAS, NV 89147

DRAFT



# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	STAFF	APP. NUMBER: <u>UC-23-0395</u> DATE FILED: <u>6/28/2023</u>
<input type="checkbox"/> TEXT AMENDMENT (TA)	STAFF	PLANNER ASSIGNED: <u>LMN</u>
<input type="checkbox"/> ZONE CHANGE		TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8/18/2023</u>
<input type="checkbox"/> CONFORMING (ZC)	PC MEETING DATE: <u>9/5/2023</u>	
<input type="checkbox"/> NONCONFORMING (NZC)	BCC MEETING DATE: _____	
<input type="checkbox"/> USE PERMIT (UC)	FEE: <u>\$ 675.00</u>	
<input type="checkbox"/> VARIANCE (VC)	PROPERTY OWNER	NAME: <u>Riviera Shopping Center LTD (a) (s) (c) Commercial Real Estate</u>
<input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)		ADDRESS: <u>3900 S. Humboldt Way Suite 200</u>
<input type="checkbox"/> DESIGN REVIEW (DR)	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u>	
<input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)	TELEPHONE: <u>702 888 3500</u> CELL: _____	
<input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)	APPLICANT	NAME: <u>YASMINE NORA AMOURI</u>
<input type="checkbox"/> WAIVER OF CONDITIONS (WC)		ADDRESS: <u>6345 CAMEO COVE AVE</u>
<input type="checkbox"/> ORIGINAL APPLICATION	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89139</u>	
<input type="checkbox"/> ANNEXATION REQUEST (ARX)	TELEPHONE: <u>702-515-9049</u> CELL: <u>702-515-9049</u>	
<input type="checkbox"/> EXTENSION OF TIME (ET)	E-MAIL: <u>YASMINEAMOURI@YAHOO.COM</u> REF CONTACT ID #: _____	
<input type="checkbox"/> ORIGINAL APPLICATION	CORRESPONDENT	NAME: <u>RAHUL SODHI</u>
<input type="checkbox"/> APPLICATION REVIEW (AR)		ADDRESS: <u>4485 S BUFFALO DR</u>
<input type="checkbox"/> ORIGINAL APPLICATION	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89147</u>	
	TELEPHONE: <u>702-820-6723</u> CELL: <u>702-820-6723</u>	
	E-MAIL: <u>RAHUL@KAIZENNV.COM</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-31-318-001 176-31-211-002

PROPERTY ADDRESS and/or CROSS STREETS: 9265 S CIMARRON RD #115, LAS VEGAS, NV 89178

PROJECT DESCRIPTION: SPECIAL USE PERMIT FOR SERVICE SPA

I We, the undersigned owner and/or the claimant herein, hereby certify that the information provided on this application is true and correct to the best of my knowledge and belief. I understand that the information provided on this application is subject to verification by the Department of Comprehensive Planning. I warrant that the information provided is true and correct to the best of my knowledge and belief. I understand that the information provided is subject to verification by the Department of Comprehensive Planning. I warrant that the information provided is true and correct to the best of my knowledge and belief. I understand that the information provided is subject to verification by the Department of Comprehensive Planning.

Koussay Dako  
Property Owner (Print)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
SUBSCRIBED AND SWORN BEFORE ME ON 06/28/2023 (DATE)  
BY KOUSSAY DAKO  
NOTARY PUBLIC [Signature]

\*NOTE: Jurat 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 a signature in a representative capacity.

## JUSTIFICATION LETTER

VS-23-0395

Applicant YASMINE NORA AMOURI, through her representative Rahul Sodhi is requesting for Special Use Permit. Project is an existing restaurant with hookah license and wants to request SUP for Service Bar (liquor license). Project name is Kabob Grill located at 9265 S. Cimarron Rd#115, Las Vegas, NV, 89178 and the parcel number is 17621214002. Business currently operates Monday to Friday: 11:00am=8:30pm. Applicant humbly requests to for the approval of special use permit and requested land uses:

- Special Use Permit for Service Bar in a C-1 zone.
- There are no proposed or required changes to the existing landscaping or parking areas.

DAYCARE  
(TITLE 30)

HAVEN ST/PYLE AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0414-SUERO ALVARO SCHNEIDER:**

**USE PERMIT** for a daycare facility in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the west side of Bismuth Street, 88 feet south of Anitmony Avenue within Enterprise. MN/nai/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
177-28-211-015

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 10025 Bismuth Street
- Site Acreage: 0.1
- Project Type: Daycare
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 2,316 residence/391 daycare
- Parking Required/Provided: 3/4

**Site Plan**

The plan depicts an existing 2 story, 2,316 square foot single family residence with a 391 square foot portion of the residence used as a daycare facility for 10 children.

Access to the site is provided by a driveway on Bismuth Street with 2 parking spaces provided on the driveway. The residence has a setback of 20 feet from the front (east) property line along Bismuth Street, 5 feet from the side (south) property line, 6 feet 3 inches from the side (north) property line, and 10 feet from the rear (west) property line. The rear includes a 225 square foot patio cover which will be used when weather permits.

### Landscaping

Landscaping is not a part of this request.

### Elevations

The existing 2 story single family residence consists of painted stucco, stacked stone detail in front of the house, and concrete tile roof.

### Floor Plans

The existing first level depicts a dining room, great room, kitchen, half bathroom, patio cover, and a garage with the 3 bedrooms and 2 full bathrooms located on the second floor. The approximate size of the daycare facility will be a 391 square foot portion of the 2,316 square foot residence. The daycare will occupy a portion of living area which is approximately 1,925 square feet, although some areas such as the kitchen and half bathroom are used for both the daycare and living area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant would like to provide daycare services for up to 10 children from 6:30 a.m. to 5:30 p.m. The approximate size of the daycare facility will be a 391 square foot portion which includes the dining room (102 square feet) and great room (289 square feet). The applicant will also use their 225 square foot patio if weather permits. There is a half bathroom on the first floor for the children to use. The applicant will leave their personal vehicles parked in the garage, for the parents to park their cars in the driveway to drop-off their children. Parents will be assigned different times to drop off their children to avoid generating traffic. According to the applicant, there are no negative or detrimental impacts to the community from the daycare facility.

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0989	Vacated 15 feet wide drainage easement	Approved by PC	February 2020
ZC-19-0875	Reclassified from R-E to R-2 zoning with waivers for wall height and off-site improvement standards, and a design review for a single family residential development	Approved by BCC	January 2020
VS-19-0876	Vacated patent easements and rights-of-way for Rancho Destino Road and Pyle Avenue	Approved by BCC	January 2020
WC-19-400150 (ZC-18-0864)	Waived conditions of a zone change	Approved by BCC	January 2020
TM-19-500231	95 single family residential lots	Approved by BCC	January 2020
ZC-18-0864	Reclassified from R-E and R-E (RNP-I) to R-2 zoning for a proposed single family residential development	Approved by BCC	December 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Reclassified a portion of the project site from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single Family residential
West	Entertainment Mixed-Use	R-E	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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.

A daycare facility provides a vital service to the community. Parents will be assigned different times to drop-off their children to avoid generating traffic. The building will continue to maintain its residential appearance as there are no façade changes proposed to the existing building. The State has regulations in place to monitor the operation of the facility. A family daycare allows care for up to six children/adults within a residence without approval of a special use permit. A daycare with 12 or more children/adults requires access from a collector or arterial street and commercial development standards. Staff believes the addition of 4 more children than what is permitted by right should not have a great impact on the neighbors, especially with the staggered drop-off and pick-up times. Staff recommends a review period to ensure that there are no unforeseen negative impacts to the surrounding neighborhood due to the increased number of children allowed on the property.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 1 year to review as public hearing;

- Applicant to assign drop-off and pick-up times so that no more than 2 clients are scheduled for drop-off or pick-up at the same time, with 20 minutes between designated times.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MONICA DEL PILAR SUERO LA ROSA**

**CONTACT: MONICA SUERO LA ROSA, 10025 BISMUTH ST., LAS VEGAS, NV 89183**





444

# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>1123-0414</u> DATE FILED: <u>7/6/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8/9/23</u> PC MEETING DATE: <u>9/5/23</u> BCC MEETING DATE: _____ FEE: <u>\$075</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ALVARO SCHNEIDER SUERO</u> ADDRESS: <u>10025 BISMUTH ST.</u> CITY: <u>LOS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: _____      CELL: <u>(909) 251-6735</u> E-MAIL: <u>helmutwschneider@hotmail.com</u>
	<b>APPLICANT</b>  NAME: <u>MONICA DEL PILAR SUERO LO ROSO</u> ADDRESS: <u>10025 BISMUTH ST.</u> CITY: <u>LOS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: _____      CELL: <u>(909) 251-1177</u> E-MAIL: <u>monicasuero99@hotmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Same as above</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): PARCEL SUB: 201 / LOT 46 / O15 177-28-211-015

PROPERTY ADDRESS and/or CROSS STREETS: 10025 BISMUTH ST. LAS VEGAS NV 89183

PROJECT DESCRIPTION: CHILD CARE

(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]      X ALVARO SCHNEIDERSUERO  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

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.

\*Please see attached Draft: cv

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

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

\_\_\_\_\_  
*Signature of Document Signer No. 1*

\_\_\_\_\_  
*Signature of Document Signer No. 2 (if any)*

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

State of California

County of Kings

Subscribed and sworn to (or affirmed) before me

on this 13 day of April, 2023  
by Alvaro Schneider Siero  
*Date Month Year*

(1) Alvaro Schneider Siero

(and (2) \_\_\_\_\_),  
*Name(s) of Signer(s)*

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

Signature Christina Verdin  
*Signature of Notary Public*



*Seal*  
*Place Notary Seal Above*

**OPTIONAL**

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

**Description of Attached Document**

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

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

JL

UC-23-0414

**JUSTIFICATION LETTER**

Facility	Childcare
Childcare Name	Sunflower Childcare
Owner	Mónica del Pilar Suero La Rosa
Phone & Email	(909) 251-1177 – monicasuero99@hotmail.com
Property	Single Family Residence
Address	10025 Bismuth St, Las Vegas NV 89183
Year Built	2022
Area for Facility	391 Sqft & Covered Patio (When weather conditions permit) (Dining room 102 sqft – Great room 289 sqft)
Bathroom	½ bathroom on the first floor
Parking	2 parking spaces in front of the garage & 4 more cars parking near the house. Our cars will be in the garage, so parents can leave their kids using our parking lots. Parents will be assigned different times to drop off their children so as not to generate traffic.
Hours of Operation	Monday to Friday from 0630 to 1730 hrs
Capacity	Up to 10 Kids
Other	Stairs and kitchen with fences, First Aid Kit, Extinguisher.



KENNEL  
(TITLE 30)

RAINBOW BLVD/CACTUS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
UC-23-0428-MEQ-CACTUS & RAINBOW L L C:

USE PERMIT to allow for a kennel (dog daycare and boarding) within an existing retail building on a portion of 5.2 acres in a C-2 (General Commercial) Zone.

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

---

RELATED INFORMATION:

APN:  
176-27-823-007

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10415 Rainbow Boulevard
- Site Acreage: 0.8 pad site/5.2 shopping center
- Project Type: Kennel
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 3,000
- Parking Required/Provided: 155/164 (overall shopping center)

Site Plan

The shopping center is located at the northwest corner of Rainbow Boulevard and Cactus Avenue. The retail building site is located in the northeast portion of the of the shopping center adjacent to Rainbow Boulevard. Cross access to the adjacent shopping center is shown on the plans and allows for adequate on-site parking. Parking is equitably distributed throughout the site with the majority of the parking spaces shown in the middle of the site. Two access points are shown from Rainbow Boulevard and Cactus Avenue.

Landscaping

Landscaping is located throughout the site and changes to the existing landscaping is neither required nor proposed with this application.

Elevations

The building is 1 story, up to 25 feet high, and similar in design with the shopping center as a whole and consists of decorative CMU block, reveal bands, awnings, and aluminum storefront window systems.

Floor Plans

The plans depict a floor plan with kennels for the boarding of dogs with play areas, grooming area, office and lobby.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states their business is a small, local business that plans to operate an indoor, interactive pet daycare that also includes overnight boarding, pet bathing, transportation, with minimal retail sales, as a franchisee of Hounds Town USA.

**Prior Land Use Requests**

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

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD & C-2	Single family residential & undeveloped

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The proposed use is located within a retail commercial building, which caters to additional commercial uses, and the proposed use is appropriate and beneficial to the surrounding neighborhood. Per the applicant, all the dogs will be well supervised for safety reasons and employees will ensure that any excessive noise and odor is minimized. Staff does not foresee any negative impacts with the proposed use; therefore, staff is in support of this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RAVEN'S DOG HOUSE, INC.

**CONTACT:** ALICIA ASHCRAFT, ARMSTRONG TEASDALE/LLP, 7160 RAFAEL RIVERA WAY, SUITE 320, LAS VEGAS, NV 89113

DRAFT





# LAND USE APPLICATION 8A

## 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 (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0428</u> DATE FILED: <u>7/11/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enter price</u> TAB/CAC DATE: <u>8/9/23</u> PC MEETING DATE: <u>9/15/23</u> BCC MEETING DATE: _____ FEE: <u>\$ 675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>MEQ-CACTUS &amp; RAINBOW LLC</u> ADDRESS: <u>1437 7th St., Suite 200</u> CITY: <u>Santa Monica</u> STATE: <u>CA</u> ZIP: <u>90401</u> TELEPHONE: <u>310-857-3100</u> CELL: _____ E-MAIL: <u>pm@masseq.com</u>
	<b>APPLICANT</b>  NAME: <u>RAVEN'S DOG HOUSE, INC.</u> ADDRESS: <u>354 Shimmering Moon St.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89015</u> TELEPHONE: <u>702-338-7884</u> CELL: _____ E-MAIL: <u>paul.ballou@houndstownusa.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Alicia R. Ashcraft, Esq.</u> ADDRESS: <u>7160 Rafael Rivera Way, Suite 360</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-678-5070</u> CELL: _____ E-MAIL: <u>aashcraft@atlip.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-27-823-007  
 PROPERTY ADDRESS and/or CROSS STREETS: 10415 S. Rainbow Blvd., Las Vegas, Nevada 89178  
 PROJECT DESCRIPTION: The Premises shall be used for the operation of an indoor pet daycare with overnight boarding.

(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]      Kyle C Irvin  
 Property Owner (Signature)\*      Authorized Signatory      Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: See attached for notary

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

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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 31st day of May, 2023, by  
Date Month Year

(1) Kyle C Irvin

(and (2) ~~\_\_\_\_\_~~),  
Name(s) of Signer(s)



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

Signature Christopher Keller  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

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: Land Use Application

Document Date:                      Number of Pages: 1 + notary

Signer(s) Other Than Named Above:

# RAVEN'S DOG HOUSE, INC.

May 23, 2023

Clark County Nevada  
Department of Comprehensive Planning  
500 S. Grand Central Pkwy., Box 551741  
Las Vegas, NV 89155-1741

Re: Justification Letter – Use Permit Application  
10415 S. Rainbow Blvd., Las Vegas, NV 89178 (APN 176-27-823-007)

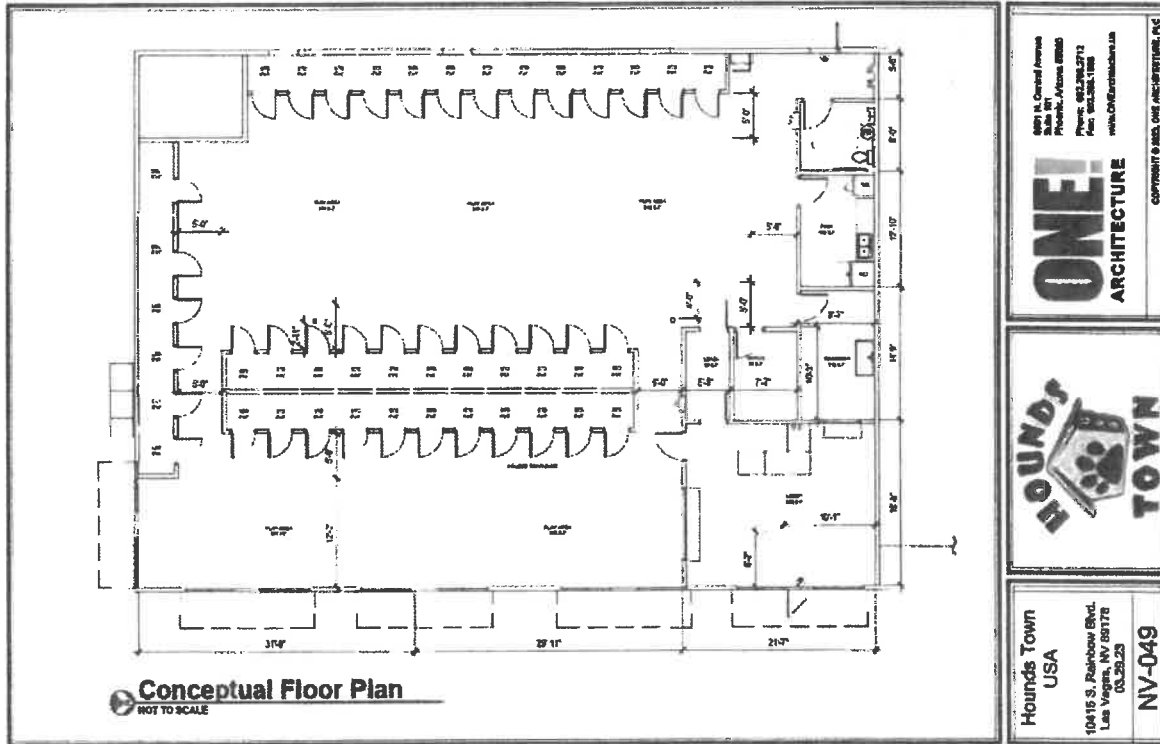
To Whom It May Concern:

Raven's Dog House, Inc. (the "Applicant") respectfully submits this application requesting a Special Use Permit to operate a "kennel" in an existing building at 10415 S. Rainbow Blvd., Las Vegas, Nevada 89178 (APN 176-27-823-007) (the "Property"). The owner of the Property, MEQ-Cactus & Rainbow LLC, also supports this application.

## **Use Permit**

The Property, located in the unincorporated territory of Enterprise at the northwest corner of Rainbow Blvd. and Cactus Ave. in the Mountain's Edge master planned community, is zoned as a general commercial district (C-2). With a Special Use Permit approval, a "kennel" is an allowed use in a C-2 zoned commercial district. Section 30.08.030 of the Clark County Unified Development Code defines "kennel" as any premises on which four (4) or more household pets are kept for an indefinite period of time typically for remuneration.

The Applicant is a small, local business that plans to operate an indoor, interactive pet daycare that also includes overnight boarding, pet bathing, transportation, with minimal retail sales, as a franchisee of Hounds Town USA. Please see the following Conceptual Floor Plan for the nearly 5,000 square feet where the Applicant will operate this indoor daycare and kennel in compliance with all Clark County Animal Control regulations.



### Conclusion

Therefore, the Applicant respectfully requests the approval of this Use Permit Application as the proposed use (a) is in harmony with the purpose, goals, objectives, and standards of the Clark County Master Plan and Title 30; (b) will not have any substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare of the community; and (c) will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

We thank you in advance for your time and consideration of this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

*Paul D. Ballou*

Paul D. Ballou, President  
Raven's Dog House, Inc.

**EASEMENTS  
(TITLE 30)**

BLUE DIAMOND RD/DURANGO DR

**PUBLIC HEARING**

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

**VS-23-0382-MEQ-BD & D II, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Durango Drive and Cimarron Road and between Blue Diamond Road and Agate Avenue (alignment) within Enterprise (description on file). JJ/jgh/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-21-201-021 through 176-21-201-023

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

The subject parcels are located on the north side of Blue Diamond Road, 672 feet east of Durango Drive. The applicant indicates this request will facilitate future development. The plans indicate 3 easements are being vacated for this request, all are 30 feet wide. One easement is located on the west side of APN 176-21-201-021, the other 2 easements are located between APN's 176-21-201-022 and 176-21-201-023.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-22-400055 (UC-20-0240)	First extension of time for alcohol sales in conjunction with a grocery store	Approved by BCC	June 2022
ET-22-400056 (ZC-18-0118)	Second extension of time to reclassify 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	June 2022
VS-20-0557	Vacated and abandoned easements located between Durango Drive and Cimarron Road	Approved by PC	February 2021
TM-20-500157	1 lot commercial subdivision	Approved by PC	December 2020
UC-20-0240	Alcohol sales in conjunction with a grocery store	Approved by BCC	August 2020
ET-20-400034 (ZC-18-0118)	First extension of time to reclassify 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	June 2020

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0640	Reclassified 3.8 acres from C-1 to C-2 zoning	Withdrawn by BCC	November 2018
ZC-18-0118	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	April 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Compact Neighborhood (up to 18 du/ac)	R-3	Compact lot & single family residential
South	Compact Neighborhood (up to 18 du/ac)	H-2 & R-3	Undeveloped & multiple family residential
West	Corridor Mixed-Use	C-2	Shopping center

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

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

**Fire Prevention Bureau**

- No comment.

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

- No objection.

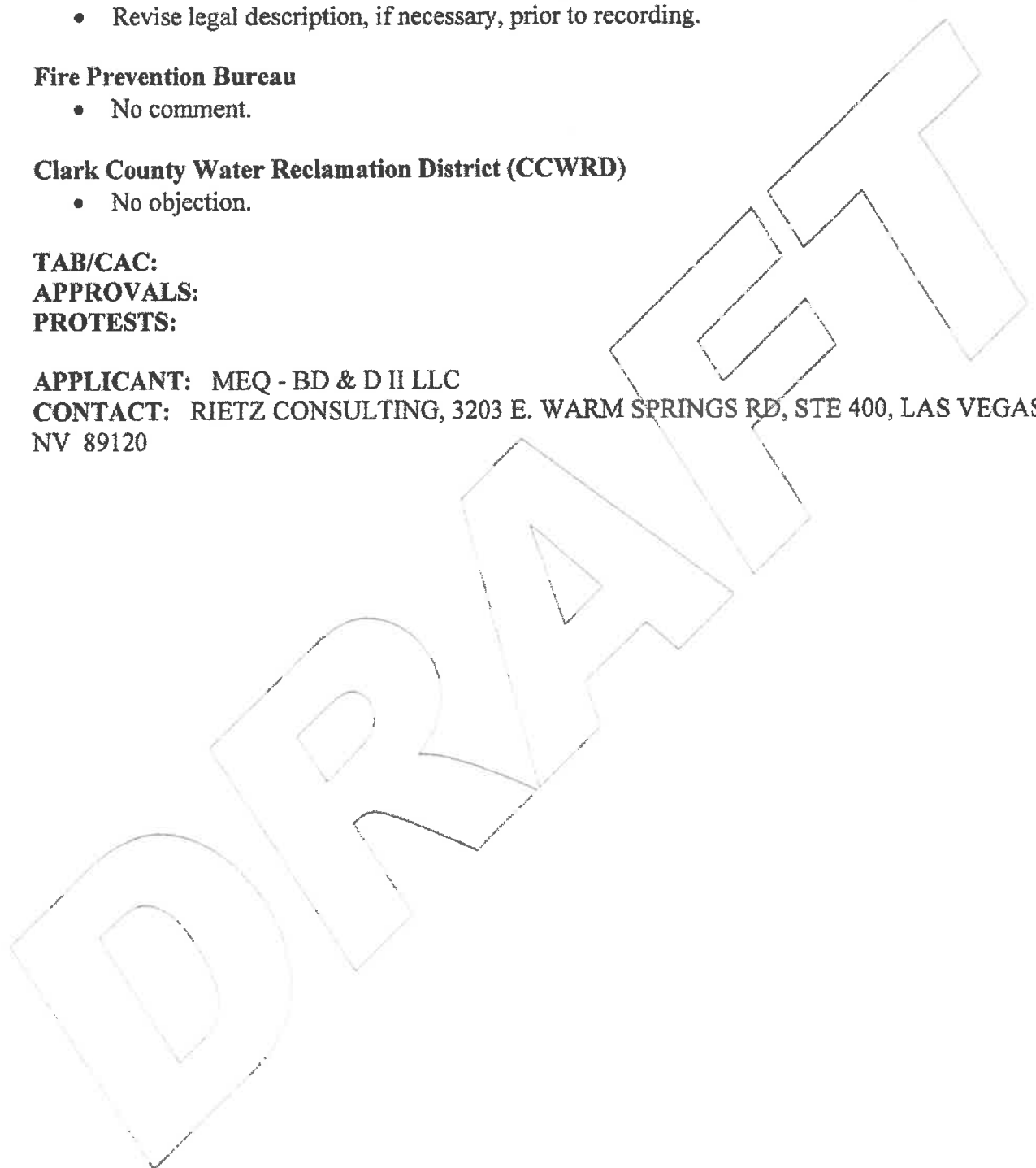
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MEQ - BD & D II LLC

**CONTACT:** RIETZ CONSULTING, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120









# VACATION APPLICATION 9A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0382</u>	DATE FILED: <u>6/24/23</u>
<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>8/9/23</u> <u>6PM</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>9/5/23</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>MEQ - BD &amp; D II LLC</u> ADDRESS: <u>1437 7TH STREET SUITE 200</u> CITY: <u>SANTA MONICA</u> STATE: <u>CA</u> ZIP: <u>90401</u> TELEPHONE: <u>310.963.4100</u> CELL: <u>N/A</u> E-MAIL: <u>DREW@MASSEQ.COM</u>
-----------------------	--

<b>APPLICANT</b>	NAME: <u>MEQ - BD &amp; D II LLC</u> ADDRESS: <u>1437 7TH STREET SUITE 200</u> CITY: <u>SANTA MONICA</u> STATE: <u>CA</u> ZIP: <u>90401</u> TELEPHONE: <u>310.963.4100</u> CELL: <u>N/A</u> E-MAIL: <u>DREW@MASSEQ.COM</u> REF CONTACT ID #: <u>136579</u>
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>ERIC RIETZ</u> ADDRESS: <u>3203 E. WARM SPRINGS ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.521.3355</u> CELL: <u>SAME</u> E-MAIL: <u>ERIC.RIETZ@RIETZCONSULTING.COM</u> REF CONTACT ID #: <u>136579</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-21-201-021-022 & 023

PROPERTY ADDRESS and/or CROSS STREETS: BLUE DIAMOND & DURANGO

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

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

STATE OF ~~NEVADA~~ Colorado  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON 3/29/2023 (DATE)

By Andrew Sobel

NOTARY PUBLIC: \_\_\_\_\_

\_\_\_\_\_  
 Property Owner (Print)

**ANNIKA FOGELBERG**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20224011735**  
**MY COMMISSION EXPIRES 03/23/2026**

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

March 28, 2023

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

RE: Blue Diamond and Durango APN # 176-21-201-021, 022 and 023 Vacation of Patent Easements

Dear County Planning Staff,

Please accept this application to vacate the patent easement for the subject these 3 parcels. There is a 30' easement for roadway, public utilities, and flood control purposes on 1 side of each of the 3 parcels listed for access to the land north of it. All of the land north of these 3 parcels has been developed and fully built out as single-family homes with access from Durango with no connectivity to these parcels.

The patents are as follows:

N-75788 recorded as 20180530:02945 OR

N-75787 recorded as 20180530:02946 OR

N-75786 recorded as 20180530:02947 OR

If you have any questions, please give me a call at 702-521-3355 or email at [eric.rietz@rietzconsulting.com](mailto:eric.rietz@rietzconsulting.com)

Thank you,



Eric Rietz, PE, PLS

PLANNED  
COPY

09/05/23 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

ARVILLE ST/SILVERADO RANCH BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0392-S C T SILVERADO RANCH & ARVILLE L L C:**

**VACATE AND ABANDON** easements of interest to Clark County located between Hinson Street and Arville Street and between Gary Avenue (alignment) and Silverado Ranch Boulevard within Enterprise (description on file). JJ/nai/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-19-801-020

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide patent easements located along the east and north property lines. The patent easements are needed to facilitate future development for the site.

**Prior Land Use Requests**

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

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Neighborhood Commercial	C-1	Gasoline station & convenience store

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

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

**Fire Prevention Bureau**

- No comment.

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

- No objection.

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

**APPLICANT:** S C T SILVERADO RANCH & ARVILLE L L C  
**CONTACT:** GCW, INC., 1555 S RAINBOW BLVD, LAS VEGAS, NV 89146

DRAFT





## VACATION APPLICATION

### DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0392</u>	DATE FILED: <u>6/26/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>8/9/23</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>9/5/23</u>	
		BCC MEETING DATE: <u>N/A</u>	
		FEE: <u>8375</u>	

<b>PROPERTY OWNER</b>	NAME: <u>SCT Silverado Ranch &amp; Arville LLC</u>
	ADDRESS: <u>c/o Station Casinos LLC, 1505 S. Pavilion Center Dr.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Same as Property Owner</u>
	ADDRESS: _____
	CITY: _____ STATE: _____ ZIP: _____
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>GCW, Inc. / Nate Ellerd</u>
	ADDRESS: <u>1555 S Rainbow Blvd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: <u>702-804-2182</u> CELL: <u>702-373-2608</u>
	E-MAIL: <u>nellerd@gcwengineering.com</u> REF CONTACT ID #: _____

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

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

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

Property Owner (Signature)\*

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 29, 2023 (DATE)  
By Stephen Cootey, Senior VP of SCT Silverado Ranch & Arville LLC

NOTARY PUBLIC:

Stephen Cootey

Property Owner (Print)

AMELIA CARR  
Notary Public, State of Nevada  
Appointment No. 19-1981-1  
My App: Expires May 1, 2023

**\*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.

V1-23-0392



867-034C  
April 10, 2023

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

V1-23-0392

Re: Justification Letter to accompany Patent Easement Vacation Application  
APR-23-100546 / APN: 177-19-801-020

To Whom It May Concern:

GCW, Inc. has been retained to file the subject application for the property owner, SCT Silverado Ranch & Arville LLC. The purpose of this application is to vacate a portion of Patent Easement (PER OR:302:244751 (1220043)) located between Arville Street and Silverado Ranch Boulevard shown on the included exhibit. The intent of this vacation is to facilitate future development of the site.

Enclosed for your use in evaluating this request, are the following documents:

- Application Form
- Disclosure Form
- Legal Description of Area Being Vacated
- Site Plan
- Assessor's Map
- Deed
- Easement/Right-of-Way Documents
- Justification Letter

Upon review of this request, please place this application on the next available Planning Commission agenda. Should you have any questions, contact the undersigned at 702-804-2182. Thank you.

Sincerely,

Nate Ellerd  
Project Administrator





09/05/23 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAYS  
(TITLE 30)

ENSWORTH ST/PYLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0393-SOUTH 80, LLC:

**VACATE AND ABANDON** easements of interest to Clark County located between Ensworth Street and Las Vegas Boulevard South, and between Le Baron Avenue and Frias Avenue; and portions of a right-of-way being Pyle Avenue and Frias Avenue located between Ensworth Street and Las Vegas Boulevard South and Parvin Street located between Pyle Avenue and Frias Avenue within Enterprise (description on file). MN/jud/syp (For possible action)

RELATED INFORMATION:

**APN:**

177-29-601-005; 177-29-701-025 through 177-29-701-028; 177-29-701-038; 177-29-701-040; 177-29-701-043 through 177-29-701-044

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

The plans depict the vacation of several easements and portions of right-of-way all incident to pending parcel map application MSM-22-600056 and another parcel map application anticipated in the near future. The requests are as follows: 1) Parvin Street right-of-way and associated 3 foot streetlight & traffic control device easement; 2) 5 feet of Pyle Avenue right-of-way and associated 3 foot streetlight & traffic control device easement; 3) right-of-way area adjoining Frias Avenue for an originally anticipated storm drain inlet that was not constructed; 4) an emergency fire access easement from Parvin Street to be vacated onto the adjoining property on the east side of Parvin Street; 5) patent reservations and easements on the perimeter of an existing residential 4 lot parcel located on the west side of Parvin Street; 6) a Clark County private drainage easement granted to the County over the area of an existing residential parcel; 7) blanket, general area easements dedicated to the County in residential parcel owner's certifications; 8) 4 public drainage easements; and 9) an expired temporary Bureau of Land Management right-of-way grant/temporary use permit.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0663	Public facility (K-9 operational center)	Approved by BCC	December 2021
UC-0070-16	Expanded a recreational facility (equestrian staging area)	Approved by BCC	March 2016
UC-1259-04	Multiple family residential development with commercial uses - expired	Approved by BCC	September 2004
ZC-0667-01	Reclassified 183.5 acres from R-E to H-1 zoning	Approved by BCC	July 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	South Point Resort Hotel
South & East	Entertainment Mixed-Use	H-1	Undeveloped
West	Business Employment & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	I-15 & single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

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

**Public Works - Development Review**

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

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SOUTH 80, LLC

**CONTACT:** BRIAN RIDINGER, 1134 CASTLE POINT AVE, HENDERSON, NV 89074





# VACATION APPLICATION 11A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0393</u> DATE FILED: <u>06/26/2023</u>
		PLANNER ASSIGNED: <u>JVD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>08/09/23</u> PC MEETING DATE: <u>Sept 5, 2023</u> BCC MEETING DATE: _____ FEE: <u>\$875<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>SOUTH 80 L L C</u>
	ADDRESS: <u>9777 LAS VEGAS BOULEVARD SOUTH</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u>


<b>APPLICANT</b>	NAME: <u>SOUTH 80 L L C</u>
	ADDRESS: <u>9777 LAS VEGAS BOULEVARD SOUTH</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

<b>CORRESPONDENT</b>	NAME: <u>The LanDesign Consultant</u>
	ADDRESS: <u>1134 Castle Point Ave</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>702-547-0047</u> CELL: <u>702-218-9478</u>
	E-MAIL: <u>brianr@landesignconsult.com &amp; apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u>

ASSESSOR'S PARCEL NUMBER(S): 177-29-701-025, 026, 027, 028; 177-29-701-038; 177-29-701-040;  
177-29-701-043; 177-29-701-044; 177-29-601-005


PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd and Pyle

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

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

Michael Gaughan, Manager  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 10-13-21 (DATE)  
 By Michael Gaughan  
 NOTARY PUBLIC: Shellie McDonald



**SHELLIE MCDONALD**  
 Notary Public, State of Nevada  
 No. 08-5479-1  
 My Appt. Exp. Nov. 2, 2023

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

Law Offices  
of  
K. Michael Leavitt

1980 Festival Plaza Drive, Suite 650  
Las Vegas, Nevada 89135-2958

(702) 382-5111  
Facsimile (702) 796-7181

leavitt@lawrabia.com

K. Michael Leavitt, Chartered

Clark County  
Department of Comprehensive Planning  
500 South Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89106

VS-23-0393

Re: Justification Letter – **APR-22-101618** -- Application to vacate (i) Parvin Street cul-de-sac right-of way and associated 3' streetlight & traffic control device easement; (ii) 5 feet of Pyle Avenue right-of-way and associated 3' streetlight & traffic control device easement together with underlying patent easements; (iii) right-of-way area adjoining Frias Avenue for an originally anticipated storm drain inlet that was not constructed; (iv) an emergency fire access easement from the Parvin Street cul-de-sac sought to be vacated onto adjoining property; (v) patent reservations and easements on the perimeter of an existing residential parcel map; (vi) a "private" drainage easement granted to County over the area of an existing residential parcel map; (vii) blanket, general area easements dedicated to County in residential parcel map owner's certifications; (viii) public drainage easements; and (ix) an expired temporary BLM Right-of-Way Grant/Temporary Use Permit, all incident to pending **Parcel Map** application -- **MSM-22-600056** -- and another **Parcel Map** application anticipated in the near future. South Point Hotel & Casino properties between Las Vegas Boulevard, South on the east and I-15 on the west, Le Baron Avenue on the north and Frias Avenue on the south. Parcel Nos. 177-29-601-005; 177-29-701-012, 025, 026, 027, 028, 038, 040, 044; 177-29-799-009, 012, 013.

Applicant South 80 LLC, a subsidiary of the owner of the South Point Hotel & Casino, has acquired acreage south of the resort for current and future uses and is in the process of consolidating 9 existing parcels into 2 parcels by the filing of a currently pending **Parcel Map** – **MSM-22-600056** – and another **Parcel Map** to be filed in the immediate future. Incident to the filing of those **Parcel Maps**, Applicant wishes to vacate multiple easements and rights of way that encumber the properties to be consolidated in the **Parcel Maps**.

The different parcels to be consolidated have been owned in the past by different owners; have been developed to different degrees for different purposes; and have been the subject of many prior land use applications. As a result, title to the subject properties is encumbered by over one hundred fifty (150) exceptions to title and multiple easements and rights-of-way. Easements and rights-of-way encumbering any one existing parcel have little, if any, relationship to easements and rights-of-way encumbering other parcels. Easements and rights-of-way sought to be vacated relate to developments that have been demolished and removed and to development projects that have never come to fruition. The easements and rights-of-way are impediments to future development, financing and use of the property, and this Application is being filed to clear title of exceptions no longer relevant and to vacate easements and rights-of-way no longer relevant.

(i) Parvin Street Cul-de-Sac and Associated 3' Streetlight & Traffic Control Device Easements. Applicant seeks to vacate a Parvin Street cul-de-sac extending south of Pyle Avenue and the 3' streetlight & traffic control device easements adjacent to the cul-de-sac rights-of-way that were granted to have the cul-de-sac conform with County's then-existing street section development standards. The cul-de-sac was developed incident to development of four residential lots, none of which is any longer improved, and all of which are to be incorporated, together with all adjoining properties, into a single lot in the pending Parcel Map. With all properties to be consolidated into a single parcel, the cul-de-sac is no longer necessary and presents an impediment to future development and use of the property.

(ii) Southerly 5' of Pyle Avenue right-of-way and 3' Streetlight & Traffic Control Device Easements. Applicant seeks to have relevant portions of Pyle Avenue conform to County's current 80' "major collector" street section development standard, requiring vacation of 5' of current roadway right-of-way and the adjacent and currently non-conforming 3' streetlight & traffic control device easement. Appropriate replacement easements will be granted in the Parcel Map process. The 3' streetlight & traffic control device easement was previously granted by parcel map to have the Pyle Avenue street section conform to County's 80' street section development standard at the time. County has since abandoned that street section in favor of a section accommodating offset sidewalks. The dedications on the newly submitted Parcel Map -- **MSM-22-600056** -- conform to County's current "Major Collector" street section. The 5' of Pyle Avenue right-of-way and the 3' streetlight & traffic control device easement previously granted to accommodate County's now-abandoned 80' street section must be vacated to accommodate County's current "Major Collector" street section with offset sidewalks as set forth on the submitted Parcel Map.

(iii) Unconstructed Drainage Inlet Right-of-Way. Applicant seeks to have a small right-of-way area for a previously proposed storm drain inlet adjacent to Frias Avenue vacated. As a result of changed conditions, neither the inlet nor the right-of-way are any longer needed.

(iv) Emergency Fire Access Easement. This easement is a driveway easement on the east side of the Parvin Street cul-de-sac that is sought to be vacated per (i) above. The Emergency Fire Access Easement was granted in a parcel map incident to a proposed development to be undertaken on Parcel No. 177-29-701-044 that has since been abandoned. With the requested vacation of the Parvin Street cul-de-sac, the fire access easement becomes irrelevant, and Applicant seeks to vacate it.

(v) Residential Parcel Map Patent Reservations and Easements. Applicant seeks vacation of patent reservations and easements on the perimeter of an existing residential parcel map. They were apparently never vacated incident to that parcel map. The subject reservations and easements serve no useful purpose and are requested to be vacated consistent with prior applications for adjoining properties.

(vi) Area "private drainage easement" [sic] granted to County. Applicant seeks vacation of a "private drainage easement" [sic] that is inexplicably granted to County over the entire area of an existing residential parcel map. The blanket area easement no longer serves any useful purpose, since all residential improvements have been removed from the property and development of the property will require drainage review and approval in advance of any development.

(vii) Blanket Residential Parcel Map Owner Certificate Dedications. Two existing residential parcel maps have owner dedications that encumber the subject properties with dedications for "... easements, utilities, and ... improvements and drainage.." and "...construction and maintenance of ...grading and drainage...". The parcel map areas are being incorporated into a large single parcel

together with adjoining property. The blanket area dedications encumbering the property no longer serve any useful purpose, since all residential improvements have been removed from the property and development of the property will require drainage review and approval in advance of any development.

(viii) Drainage Easements. Applicant seeks vacation of four (4) public drainage easements of record encumbering undeveloped portions of the subject property. The easements are not necessary to channel surface waters relating to existing developments, and Applicant understands and acknowledges that relevant easements may become necessary depending on the nature and location of future development. Applicant is working closely with Public Works and its Drainage Review Group with respect to the requested vacations.

(ix) Expired Temporary BLM Right-of-Way Grant/Temporary Use Permit. A recorded BLM Right-of-Way Grant/Temporary Use Permit that has expired requires vacation to be relinquished of record and to cease encumbering Applicant's property. Applicant requests that vacation.

For vacation clarification purposes, Applicant has included legal descriptions and documentation relating to the underlying patent reservation easements for roadway areas sought to be vacated to make clear that all such underlying patent reservation easements are being vacated with the vacation of right-of-way.

Applicant respectfully requests approval of the requested vacations. The undersigned is available to discuss any questions or concerns, cell phone 702.274.2910, as is Applicant's consulting engineer, Brian Ridinger, PE of The LandDesign Consultant, Incorporated, cell phone 702.218.9478.

Very truly yours,



K. MICHAEL LEAVITT



VEHICLE & WATERCRAFT STORAGE  
(TITLE 30)

CACTUS AVE/CAMERON ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400112 (ZC-20-0311)-BULL RUSH, LLC:**

**USE PERMIT SECOND EXTENSION OF TIME** for off-highway vehicle, recreational vehicle, and watercraft storage.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate landscaping; and 2) allow second story clear windows.

**DESIGN REVIEWS** for the following: 1) indoor off-highway vehicle, recreational vehicle, and watercraft storage buildings; and 2) finished grade on 2.5 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Cameron Street (alignment), 300 feet north of Cactus Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-30-401-007

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate parking lot landscaping where landscaping is required per Figure 30.64-14.
2. Allow clear windows above the first story adjacent to a residential zone per Table 30.40-4.

**DESIGN REVIEWS:**

1. Three indoor off-highway vehicle, recreational vehicle, and watercraft storage buildings.
2. Increase the finished grade up to 36 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 100% increase).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Recreational vehicle storage
- Number of Stories: 3

- Building Height (feet): 35
- Square Feet: 15,880 (Building A)/27,330 (Building B)/15,075 (Building C)
- Parking Required/Provided: 5/12

### History & Site Plan

Application ZC-20-0311 was approved to reclassify the site to a C-2 zone for an indoor off-highway vehicle storage facility. A waiver of development standards to reduce the one-way egress radius to 5 feet was also requested; however, it was withdrawn.

The site plan depicts a 2.5 acre property with 3 storage buildings for the storage of personal recreational vehicles, off-highway vehicles, or watercrafts. The facility will operate similar to a mini-storage business. The buildings include 41 indoor parking and storage units and 1 common area unit Building A. All buildings are oriented in an east/west direction. Building A is located along Rush Avenue and is at least 10 feet from Rush Avenue and Cameron Street. Building B is centrally located internal to the site. Building C is located along the southern property boundary and is at least 10 feet from Cameron Street. Eleven parallel parking spaces for tenants and guests are located on the north side of Building B and 1 accessible parking space is located on the south side of the entry gate at the northwest corner of the property. Access to the site is from Rush Avenue, in the northwest corner of the site, and the site plan shows an exit only onto Cameron Street at the southeast corner of the property, north of Building C. A fire lane is provided from the entrance through the site and around Building B.

### Landscaping

The plan depicts 15 feet of landscaping along Rush Avenue and Cameron Street and includes 5 foot attached sidewalks. The trees are placed 20 feet on center with shrubs in a 10 foot wide area behind the sidewalk. A 6 foot split-face CMU wall with 2 inch masonry cap is proposed on a zero foot to 4 foot retaining wall along Cameron Street. A 6 foot CMU wall is proposed above the zero foot to 5 foot retaining wall on the west side of the property. There is no landscaping on the interior of the site.

### Elevations

The plans depict 3 storage buildings with a modern mining architectural design consisting primarily of flat building facades of varying heights with painted decorative vertical and horizontal metal panels and CMU block, and low slope standing seam painted metal roofs. All buildings include a 5 foot walkway adjacent to each building. This property has an elevation difference of approximately 15 feet from the northwest high point to the low point in the southeast, and the buildings will be tiered on the site accordingly.

Building A is 2 stories with a maximum height of 35 feet. Building A contains 10 storage units and one, 2 story common area unit (west end). The first floor is an open floor plan for the storage of vehicles and watercraft and the second story includes a mezzanine for storage with large view windows on the north elevation. The south elevation has large RV sized roll-up garage doors for access into the storage units and single door pedestrian entrances; units with mezzanines have small clear windows on the upper facades. Access to Building A is from the south, except access into the common area unit is from the west.

Building B is located 44 feet south of Building A across the open paved driveway area. Building B is a split level 3 story building and contains 11 storage units with an open floor plan, each having a mezzanine for storage on the second story and 6 units have third floor balconies with glass sliding glass doors on the south building elevation. The south elevation has large RV sized roll-up garage doors for access into the storage units. On the north building elevation, the units with balconies have large view windows on the upper floor and roll-up garage doors to accommodate the parking of a typical vehicle. Both facades have pedestrian door access.

Building C is located 65 feet south of Building B. This building is single story with a building height maximum of 18 feet and is constructed with an integrated 6 foot retaining wall on the south property line with a flat roofline. The design of the building is traditional storage building construction with north facing roll-up doors to accommodate RV access and single door pedestrian access.

#### Floor Plans

The plans depict 58,285 total square feet of floor area divided among 3 buildings. Building A is located on the north side of the property and includes 10 storage units with a footprint of 215 feet by 50 feet and a 1,000 square foot common area. Each storage unit is at least 1,000 square feet on the first level with a mezzanine with approximately 500 square feet of storage space. Building B includes 11 units and is located in the middle of the property with a footprint of 251 feet by 70 feet. Each storage unit is at least 1,400 square feet on the first level with a mezzanine of approximately 500 square feet. Building C is a single story building with 20 units, each with 750 square foot, 15 foot by 50 foot floor areas.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for ADET-22-900558 (ZC-20-0311):

#### Current Planning

- Until August 19, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for ZC-20-0311:

#### Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Plant 10 large trees in landscape planters located on the south side of Building B;
- Overnight stays by renters are not permitted;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- 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 Rush Avenue, 30 feet for Cameron Street, and associated spandrel.
- 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.

**Building Department - Fire Prevention**

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

**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 #0268-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant is in the process of obtaining a building permit (BD23-2944) and is waiting for civil reviews to complete. The economic climate has been less than ideal for development and has impeded this project from commencing. It is for these reasons that the applicant is seeking an additional 2 years for a development to commence.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADET-22-900558 (ZC-20-0311)	First extension of time for a zone change, use permit, waiver, and design reviews for a vehicle/watercraft storage facility	Approved by ZA	August 2022
NZC-21-0199	Reclassified the site from R-E to R-4 zoning for a multiple family residential development with waiver for increased wall height and design reviews for parking lot landscaping and finished grade	Approved by BCC	July 2021

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-21-0093	Vacated and abandoned a portion of right-of-way being Decatur Boulevard located between Frias Avenue and Rush	Approved by BCC	July 2021
ZC-20-0311	Reclassified the site from R-E to C-2 zoning for a vehicle/watercraft storage facility with use permit, waivers to eliminate landscaping, modified driveway geometrics, allowed second story clear windows, and design review for finished grade	Approved by BCC	August 2020

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-E	Vacant
South	Corridor Mixed-Use	C-2	Commercial complex & restaurant
East	Corridor Mixed-Use	R-E	Vacant
West	Corridor Mixed-Use	C-2	Public storage facility

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Staff finds that the applicant has taken steps towards commencing the project. A drainage study (PW23-14011) and a traffic study (PW21-19577) have been approved for the site and a building permit (BD23-29444) is in review. Therefore, staff can support the extension of time request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until August 19, 2025 to commence;
- Enter into a Development Agreement with Clark County to mitigate impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions;
- Applicant is advised that application VS-20-0367 is expired.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: BULL RUSH, LLC**

**CONTACT: SHURLEY DESIGN STUDIO, LLC, 9270 ONESTO AVENUE, LAS VEGAS, NV 89148**



# LAND USE APPLICATION 12A

## 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 (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET) ZC-20-0311 (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>ET-23-400112</u>      DATE FILED: <u>7/12/23</u></p> <p>PLANNER ASSIGNED: <u>Naomi tpd</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>8/9/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>9/6/23</u></p> <p>FEE: <u>\$ 900</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>BULL RUSH LLC</u></p> <p>ADDRESS: <u>2165 HOUSE PRAIRIE DRIVE</u></p> <p>CITY: <u>HENDERSON</u>      STATE: <u>NV</u>      ZIP: <u>89052</u></p> <p>TELEPHONE: <u>702-348-5100</u>      CELL: <u>702-348-5100</u></p> <p>E-MAIL: <u>BLAKE702@GMAIL.COM</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>BULL RUSH LLC</u></p> <p>ADDRESS: <u>2165 HOUSE PRAIRIE DRIVE</u></p> <p>CITY: <u>HENDERSON</u>      STATE: <u>NV</u>      ZIP: <u>89052</u></p> <p>TELEPHONE: <u>702-348-5100</u>      CELL: <u>702-348-5100</u></p> <p>E-MAIL: <u>BLAKE702@GMAIL.COM</u>      REF CONTACT ID #: <u>229890</u></p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>SHURLEY DESIGN STUDIO</u></p> <p>ADDRESS: <u>9270 ONESTO AVENUE</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89148</u></p> <p>TELEPHONE: _____      CELL: <u>702-624-0022</u></p> <p>E-MAIL: <u>GERALD@SHURLEYDESIGN.COM</u>      REF CONTACT ID #: <u>2221810</u></p>

**ASSESSOR'S PARCEL NUMBER(S):** 172-37-401-007

**PROPERTY ADDRESS and/or CROSS STREETS:** Cameron & Rush

**PROJECT DESCRIPTION:** \_\_\_\_\_

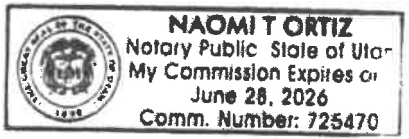
(I, We) the undersigned swear and say that the information provided in the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information in the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of our 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 project.

[Signature]      Blake E. Rosser  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Utah  
 COUNTY OF Salt Lake

SUBSCRIBED AND SWORN BEFORE ME ON 7/12/23 (DATE)

By [Signature]  
 NOTARY PUBLIC: Naomi Ortiz



\*NOTE: Corporate declaration of authority, if applicant is a corporation, partnership, trust, or other legal entity, or if the applicant and/or property owner is a representative capacity.

23-400112



July 06, 2023

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

Re: **Justification Letter** APN 177-30-401-007  
(EOT) Extension of Time

To Whom it may concern

We would like to apply for an Extension of Time for the previously approved applications (ADET-22-900558) ZC-20-0311 for a new Off Highway Interior Recreational Vehicle and Watercraft Storage Facility located at parcel number 177-30-401-007

This is the second time we are submitting the project for an extension of time. The project is currently in the construction document phase and being reviewed under building permit #BD23-29444. We are requesting a two-year extension of time to commence construction on the project due to current universal economic issues and the current civil improvements review schedule

We feel that this proposed project would still be a great addition to the area, conforms to the other uses currently located in the area, and follows the requirements set forth by Clark County Title 30. We would greatly appreciate the staff's recommendation for approval

If you have any questions, please contact us at 702 624 0022

Thank you,

Gerald Alan Shurley, Inc. Principal Architect  
LEED AP, NCARB (No. 87210)  
Shurley Design Studios, LLC, Manager



09/06/23 BCC AGENDA SHEET

LANDSCAPING/OFF-SITES  
(TITLE 30)

LAS VEGAS BLVD S/CACTUS AVE

**PUBLIC HEARING**

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

**WS-23-0396-MACKOVSKI, ALEXANDER:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) landscaping; and 2) off-site improvements in conjunction with a previously approved hotel and retail development on 2.8 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Las Vegas Boulevard South, 430 feet south of Cactus Avenue within Enterprise. MN/hw/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-33-101-005 through 177-33-101-009; 177-33-111-004; 177-33-111-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping and detached sidewalks along Conn Avenue and Giles Street where required per Figure 30.64-17 (a 100% reduction).
2. Eliminate off-site improvements (sidewalks, curbs, gutters, pavement, and streetlights) along Conn Avenue and Giles Street where required per Section 30.52.040.

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.8
- Project Type: Waive landscaping and off-site improvements for a hotel & retail complex
- Number of Stories: 4 (hotel)/1 (retail) (per ZC-21-0119)
- Building Height (feet): 49.5 (hotel)/24 (retail) (per ZC-21-0119)
- Square Feet: 13,940 (hotel)/4,650 (retail)
- Parking Required/Provided: 101/112 (site plus shared parking agreement spaces)

### Site Plan, History, & Request

The site plan provided depicts a previously approved hotel and retail complex located to the east of Las Vegas Boulevard South and approximately 330 feet south of Cactus Avenue. This complex was originally approved by the Board of County Commissioners in May of 2021 through ZC-21-0119. This application included a zone change from the H-2 (General Highway Frontage) zone to the C-2 (General Commercial) zone with waivers for the front setback of the retail building, alternative landscaping along Las Vegas Boulevard South, non-standard improvements (landscaping) in the Las Vegas Boulevard South right-of-way, and driveway geometrics. This application was to expire in May of 2023, but was extended to May of 2025 to commence with ET-23-400078 (ZC-21-0119) in July of 2023.

The plan shows the previously approved 4,650 square foot retail building on the west side of the property along Las Vegas Boulevard South and the previously approved, 13,940 square foot, 4 story hotel building located in the southeast corner of the site. Access to the site is shown to be from a commercial driveway in the southwest corner of the site along Las Vegas Boulevard South, as was previously approved. Parking is provided throughout the site surrounding both the retail and hotel buildings and is accessed through a two-way, 24 foot driveway aisle that weaves through the site in an S shape. There are 2 points of cross access that were provided, 1 is in the north central portion of the site and provided to the retail complex to the north, and another located in the southeast corner of the site that provides access to the undeveloped parcel to the south. Both the access points and parking are shown as approved by ZC-21-0119.

The applicant is requesting the subject waivers of development standards to eliminate landscaping, sidewalks, and required off-sites, because of the required dedication of an elbow intersection at the intersection of Giles Street and Conn Avenue. Due to the required radius of the elbow intersection (75 feet), the right-of-way extends onto the subject property approximately 11 feet, which triggers the need for street landscaping, detached sidewalks, streetlights, curbs, and pavement in the very southeast corner of the property adjacent to the dedication, due to the 60 foot width of the Conn Avenue right-of-way. The plans show the applicant is proposing to pave a 20 foot to 35 foot section of Conn Avenue from where the paved portion of Conn Avenue ends currently (approximately 37 feet from the southeast property line) to 10.5 feet within the property boundary. Due to the placement of the right-of-way dedication and a Las Vegas Valley Water District easement, a 28 foot portion of the intense landscape buffer on the eastern property line and 3 parking stalls had to be removed from what was originally proposed in ZC-21-0119. The reduction in parking results in a total of 97 stalls being provided on-site with 15 spaces supplementing the on-site total due to a parking agreement. These additional 15 spaces are located in the south central portion of the northern retail complex adjacent to the proposed hotel/retail complex. This leads to 112 total provided spaces where 101 spaces are required for the uses on the subject site, based on shared parking totals.

### Landscaping

The plans show that the landscaping as previously approved in ZC-21-0119 has remained essentially the same, except for the loss of a 294 square foot (28 feet long by 10.5 feet wide) portion of intense landscaping buffer in the southeastern corner of the property. The intense buffer along the eastern property line still contains a 10.5 foot wide planting strip with 2 rows of Calabrian Pine (*Pinus brutia*) trees 10 feet on center. The Calabrian Pine is a change from the

Afghan Pine (*Pinus brutia var. eldarica*) that was on the previously approved landscape plan. This intense buffer extends the otherwise full length of the eastern property line to the right-of-way line of Conn Avenue, based on this an additional waiver of development standards is not needed. The plans also indicate that decorative rock will be provided in the areas where parking stalls have been lost and are outside of the dedication/pavement area.

The plans provided, which otherwise matched the approved landscape plans, show the western 100 feet of the site as part of the future right-of-way for Las Vegas Boulevard South. A detached sidewalk is depicted within the right-of-way that is set back approximately 5 feet from the back of curb. Between this detached sidewalk and the edge of the future right-of-way, the plan depicts Mexican Fan Palm (*Washingtonia robusta*) trees, shrubs, and groundcover within this area. Within the 11 foot setback to the future right-of-way line for the commercial building the plan depicts landscaping consisting of Holly Oak (*Quercus flex*) trees, shrubs, and groundcover, which the plans indicate will remain when future street improvements widen the right-of-way. Additional landscape areas are provided in the parking areas and adjacent to the buildings. Along the north side of the hotel building and along the southern property line, an 8 foot landscaping strip is shown with terminating landscaping islands. Along the north property line, a similar landscaping strip is provided, but only at a 6 foot width. Along the western property line, the 10.5 foot landscaping strip is combined with terminating landscape islands and a landscape island finger. Along the edge of the retail building, terminating and finger landscape islands are provided between every 4 to 6 spaces. All parking lot landscaping strips contain Holly Oak and Mexican Fan Palms with shrubs and groundcover. All necessary landscape waivers were approved with ZC-21-0119.

Applicant’s Justification

The applicant states that the waivers being requested are due to the needed dedication of an elbow intersection of 75 feet, which accounts for fire truck turning. They state that they will extend the pavement of Conn Avenue to their property. The applicant states that 3 parking spaces will be lost due to this dedication and the placement of an Las Vegas Valley Water District easement. They state that decorative rock will be placed in the areas outside of the dedication area where parking has been lost. Finally, they indicate that they expect no impacts to the surrounding area as a result of the loss in landscaping and off-site infrastructure due to the requested waivers.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-23-400078 (ZC-21-0119)	First extension of time to reclassify the site from H-2 to C-2 zoning for a hotel and retail building with waivers	Approved by BCC	July 2023
ZC-21-0119	Reclassified the site from H-2 to C-2 zoning for a hotel and retail building with waivers	Approved by BCC	May 2021
PA-18-700009	Amended the land use categories from CT (Commercial Tourist) and OP (Office Professional) to CG (Commercial General) for the site	Approved by BCC	March 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use & Corridor Mixed-Use	C-2	Commercial/retail complex
South	Entertainment Mixed-Use & Neighborhood Commercial	H-2	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Entertainment Mixed-Use	H-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**

**Comprehensive Planning**

Waivers of Development Standards

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

Waiver of Development Standards #1

While staff would not normally support the elimination of sidewalks and street landscaping, staff finds that the landscaping and detached sidewalks would be required on only a small, 22 foot corner section of the property on adjacent to currently underdeveloped roads with no sidewalks. As a result, staff finds that asking the applicant to provide a detached sidewalk with associated landscaping at this location would be out of place and would result in sidewalks leading to either unpaved streets or streets with no sidewalks. In addition, staff finds that given that the properties to the east are both zoned and planned for rural residential lots and uses and are protected as such by an RNP-I Overlay, it is unlikely future development on Conn Avenue would result in the need for sidewalks, and, as a result, leaving this portion of Conn Avenue without sidewalks and landscaping would not present a detriment to the area. While development to the south along Giles Street may lead to the need for sidewalks and landscaping, leaving the intersection curve/northern portion of Giles Street without landscaping should not lead to any issues, as significant landscaping is already provided by the intense buffer north of the intersection and this portion has already been approved without sidewalks. As a result, landscaping and sidewalks stopping before the intersection should also not pose an issue to the area in this scenario and may provide a transition from the more commercially adjacent Giles Street to the more residentially adjacent Conn Avenue. For these reasons, staff can support this waiver of development standards.

**Public Works - Development Review**

Waiver of Development Standards #2

Staff has no objection to not install off-site improvement on the small portion of Conn Avenue and Giles Street as the portion of right-of-way that is impacted by their site it minimal.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until May 5, 2025 to commence, to correspond with ET-23-400078 (ZC-21-0119).
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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**

- Execute a Restrictive Covenant Agreement (deed restrictions).

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ALEXANDER MACKOVSKI

**CONTACT:** ALEXANDER MACKOVSKI, 1594 VILLA RICA DRIVE, HENDERSON, NV 89052





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 13A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

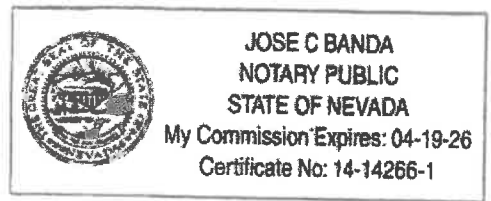
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-03-0396</u> DATE FILED: <u>6/28/23</u> PLANNER ASSIGNED: <u>NW</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8/9/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9/6/23</u> FEE: <u>\$475</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ALEXANDER MACKOVSKI</u> ADDRESS: <u>1534 VILLA RICA DR.</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-334-5160</u> CELL: <u>702-334-5160</u> E-MAIL: <u>AMACKOVSKI@HOTMAIL.COM</u>
	<b>APPLICANT</b>  NAME: <u>ALEXANDER MACKOVSKI</u> ADDRESS: <u>1534 VILLA RICA DRIVE</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-334-5160</u> CELL: <u>702-334-5160</u> E-MAIL: <u>ALEX@MBINVESTORS.COM</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>ALEXANDER MACKOVSKI</u> ADDRESS: <u>1534 VILLA RICA DR.</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-334-5160</u> CELL: <u>702-334-5160</u> E-MAIL: <u>AMACKOVSKI@HOTMAIL.COM</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-33-101-005, 006, 007, 008, 009 (2.4ac)  
 PROPERTY ADDRESS and/or CROSS STREETS: S. LAS VEGAS BLVD & CACTUS ROAD.  
 PROJECT DESCRIPTION: HOTEL SITE, COMMERCIAL DEVELOPMENT

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

Alexander Mackovski  
 Property Owner (Signature)\*      ALEXANDER MACKOVSKI  
 Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON 27th June 2023 (DATE)  
 By Notary Public  
 NOTARY PUBLIC: \_\_\_\_\_



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

**PLANNER  
COPY**

WS-23-0396

June 22, 2023

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

**Re: Las Vegas and Conn, PW 22-11776,  
Justification Letter – Conditional Use Permit WS 23-100411**

**xxx S. Las Vegas Blvd, Las Vegas NV 89183  
APN: 177-33-101-005,006,007,008,009**

**Property owner: Alexander Mackovski  
1594 Villa Rica Drive,  
Henderson NV 89052**

**Justification Letter :**

With this letter we are requesting a Waiver of Development Standards (WS) for the Landscape and Sidewalk with Curb and Gutter, Street Light and Asphalt Pavement at the intersection of Conn Ave and Gilles Street, within the Conn Avenue right-of-way.

The Sidewalk with Curb and Gutter, Landscape and Street Light we are requesting to be Waved from Development Standards and instead it is proposed that Conn Ave pavement be extended to our property and widened for turning up to 10 feet from North Right of Way, see attached Site Plans and Exhibit "B".

In this 30 feet wide area aligned with Conn Ave we are requesting the Landscape strip be Waved from Development Standards and have only ground cover of "decorative rocks".

The subject site is gross 2.4 acres and is fronting S. Las Vegas Blvd, on the West and on the East Conn Ave. with only 30 feet right-of-way.

The right-of-way easement on Giles Street had been vacated and granted to the property owners to the East and the property owner to the North of our subject property.

The property to the South, is a 5 ac. vacant land with only 30 feet of right-of-way along Giles Street.(East half of the street).

The proposed street radius of 75 feet takes into consideration the Fire Truck turning radius and existing dedicated right-of-ways. See Exhibit "A", and Exhibit "B" attached.

The design will effect on our parking count, see Exhibit "C" reducing three parking stalls, satisfying the LVWD Service Easement too.

This will not reflect on the min. parking stalls required by Clark County since we have a recorded Parking Shearing Agreement with the neighboring parcel to the North.

In order to move our project forward we are requesting these WS to be granted or discuss an alternative idea.

We are hopeful that this letter clearly describes the project and the intent of the proposed development WS. If you have any questions or require any additional information, please call Alexander (702) 334-5160. Or email: [MB@MBinvestors.com](mailto:MB@MBinvestors.com)

Respectfully,  
Alexander Mackovski  
Project Coordinator/Owner Developer



RESTAURANT  
(TITLE 30)

RAINBOW BLVD/BLUE DIAMOND RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0408-RAINBOW & BLUE DIAMOND SOUTHEAST, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to eliminate street landscaping.  
**DESIGN REVIEWS** for the following: 1) restaurant; and 2) finished grade in conjunction with a previously approved shopping center on a portion of 8.1 acres in a C-2 (General Commercial) Zone.

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

---

**RELATED INFORMATION:**

**APN:**

176-23-210-003; 176-23-210-004; 176-23-210-006; 176-23-210-007

**WAIVER OF DEVELOPMENT STANDARDS:**

Eliminate street landscaping where Figure 30.64-17 is required (a 100% reduction).

**DESIGN REVIEWS:**

1. Proposed new restaurant.
2. Increase finished grade to 3 feet 6 inches where 3 feet is the standard (a 17% increase).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 8.1 (portion)
- Project Type: Restaurant/finished grade
- Number of Stories: 1
- Building Height (feet): 26
- Square Feet: 2,494
- Parking Required/Provided: 256/257

### Site Plan & Request

The plan depicts a fast food service restaurant on the north central portion of a previously approved shopping center. This individual parcel is located along Blue Diamond Road and is a portion of a larger shopping center at the corner of Rainbow Boulevard and Blue Diamond Road. Access to the site is through the adjacent parcel to the east, with access to Santa Margarita Street, which has access to Blue Diamond Road. Access also is provided through the shopping center to the west, with access to Rainbow Boulevard. The drive-thru is entered on the east side of the building, with the menu board and call box at the northeast portion of the proposed building. Drivers then circle around the building and pick-up their food at the window at the southwest side of the building. Pedestrian access is provided to the rest of the center through a sidewalk along the south side of the parcel. A bypass lane is provided to allow cars to bypass the drive-thru lane; however, this reduces the amount of landscaping adjacent to Blue Diamond Road. Therefore, necessitating a waiver of development standards to eliminate the required street landscaping along Blue Diamond Road. Parking is provided throughout the shopping center. A total of 257 parking spaces are provided for the entire shopping center. The trash enclosure is located at the southwest corner of the proposed building. This application also includes a design review for the proposed restaurant as well as to increase finished grade.

### Landscaping

The applicant is providing additional trees adjacent to the drive-thru lane, to alleviate the elimination of street landscaping along Blue Diamond Road. Parking lot landscaping is provided per Code, with sufficient shrubbery and trees along the east side of the proposed building. The remaining areas around the perimeter of the pad site also provide several 5 gallon shrubs as well as 24 inch box trees.

### Elevations

The base of the building is brick with brick trim on the corners. The main sections of the building facades are neutral with red accent awnings and a flat roof, similar to the existing shopping center. The overall height of the building is 26 feet. Accent metal awnings are located above the windows around the building.

### Floor Plan

The plan depicts a total building area of 2,494 square feet. The plan shows an open floor plan which includes a walk-in freezer and cooler, manager's office, restrooms, mechanical room, kitchen, and dining area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states a bypass lane is provided to allow cars to bypass the drive-thru; however, this reduces the amount of landscaping adjacent to Blue Diamond Road. Along Blue Diamond Road is a wide strip of decorative rock placed within the right-of-way. Instead of landscaping adjacent to Blue Diamond Road additional trees are placed adjacent to the drive-thru lane, as a result the view from the street will still be landscaped. There is landscaping at the northeast portion of the site. This site will blend with the overall development and be a welcome addition

to the area. Furthermore, during the review of the drainage study, the grade of the site was suggested to be increased; therefore, a design review as a public hearing is needed to increase the finished grade.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-23-900243	Vehicle wash facility	Approved by ZA	July 2023
VS-23-0112	Vacated and abandoned a portion of easements	Approved by PC	May 2023
DR-21-0225	Site lighting for a previously approved shopping center	Approved by BCC	July 2021
WS-20-0428	Comprehensive sign plan with waivers for reduced separation between freestanding signs, reduced sign setbacks, and allowed roof signs	Approved by PC	January 2021
VS-20-0161	Vacated and abandoned right-of-way being Rainbow Boulevard between Serene Avenue (alignment) and Blue Diamond Road	Approved by BCC	April 2020
TM-20-500047	1 lot commercial subdivision for a previously approved shopping center	Approved by BCC	April 2020
WS-19-0725	Design review for modifications to an approved shopping center	Approved by BCC	November 2019
WC-19-400122 (Nzc-18-0915)	Waived conditions of a zone change to provide enhanced landscape buffers along the perimeters and street frontages for a shopping center	Approved by BCC	November 2019
Nzc-18-0915	Reclassified from R-E and H-2 to C-2 zoning for a shopping center, with waivers for modified driveway and separation, and a design review for a shopping center	Approved by BCC	June 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2 & H-2	Undeveloped
South	Business Employment	C-2	Undeveloped
East	Business Employment	M-D, M-1, & C-1	Warehouse & undeveloped
West	Corridor Mixed-Use	H-2 & C-2	Retail shopping center

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

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

#### Waiver of Development Standards

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

Staff finds the request to eliminate street frontage landscaping is not appropriate since the decorative rock strip along Blue Diamond Road does not serve the purpose of landscaping along the street frontage. The intent of street landscaping is to provide shade along the sidewalks as well as serve as a transition buffer between the right-of-way and the developments. Staff understands that this decorative rock strip is within the Nevada Department of Transportation (NDOT) right-of-way; however, similar developments in the area have the same circumstance of decorative rocks along NDOT's right-of-way, but decorative ground coverage (small shrubs and trees) are provided along Blue Diamond Road at those neighboring sites. Therefore, staff does not support this portion of the request.

#### Design Review #1

Access to the site is granted through commercial driveways located within the previously approved shopping center along Santa Margarita Street, Rainbow Boulevard, and Serene Avenue. The design of the proposed restaurant and drive-thru lanes does not conflict with the circulation of the site. Even though the proposed development is compatible with the overall shopping center and the parking lot landscaping provided is adequate throughout the site, the request to eliminate the frontage landscaping is a self-imposed hardship which affects the overall site design. Therefore, staff cannot support this request.

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

#### Design Review #2

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

### **Staff Recommendation**

Denial.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- 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;
- 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BLUE DIAMOND STEAKBURGER OPERATIONS, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134





# 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 (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>WS-23-0408</u>      DATE FILED: <u>7/6/23</u></p> <p>PLANNER ASSIGNED: <u>NW</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>8/9/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>9/6/23</u></p> <p>FEE: <u>\$1,150</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Rainbow &amp; Blue Diamond Southeast LLC</u></p> <p>ADDRESS: <u>5055 W Patrick Lane # 101</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89118</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: <u>kkent@capwestdev.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>same as owner</u></p> <p>ADDRESS: _____</p> <p>CITY: _____      STATE: _____      ZIP: _____</p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>LAS Consulting -Lucy Stewart</u></p> <p>ADDRESS: <u>1930 Village Center Circle 3-577</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89134</u></p> <p>TELEPHONE: _____      CELL: <u>702-499-6469</u></p> <p>E-MAIL: <u>stewplan@gmail.com</u>      REF CONTACT ID #: <u>165577</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-23210-004

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow & Blue Diamond

PROJECT DESCRIPTION: Design Review for new building

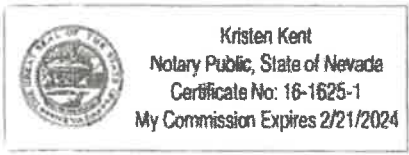
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Michael Dean      Michael Dean  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 10, 2023 (DATE)  
 By Michael Dean

NOTARY PUBLIC: \_\_\_\_\_



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

LAS Consulting  
1930 Village Center Circle-Bldg 3, #577  
Las Vegas, NV 89134  
702-499-6469

PLANNER  
COPY  
WS-23-0408

July 6, 2023

Mr. Hunter White, Senior Planner  
Clark County Current Planning  
500 Grand Central Parkway  
Las Vegas, NV 89106

RE: SEC Blue Diamond Rd & Rainbow Blvd, APR: 23-100618-Correct #

Dear Mr. White:

Please accept this letter as our request for the design review as a public hearing on final plans. The site is located on the SEC corner of Rainbow Blvd and Blue Diamond Road. The Land Use Guide Planned Land Use is Business Employment (BE) and the property is zoned General Commercial (C-2). A non-conforming zone change was approved in June of 2019 for C-2 and a Design Review on the overall 8.09-acre site. The pad sites did not have architectural plans shown because at that time they were not sure who the tenants would be. As the tenant spaces are leased, they have come forward with design reviews.

This is a request for Freddy's Frozen Custard and Steakburger, a Quick Serve Restaurant (QSR) based in Wichita, Kansas. They serve hamburgers, fried chicken, fries, frozen custard, and they are known for their sauces. The building is on the south side of Blue Diamond, east of Rainbow. The restaurant is a 2494 square foot building with a drive-through window. The base of the building is brick with brick trim on the corners. The main part of the building is neutral with red accent awnings and a flat roof, the same as the rest of the shopping center (see attached pictures).

Access to the pad is through the adjacent parcel to the east, with access to Santa Margarita Street, which has access to Blue Diamond. Access is also provided through the shopping center to the west, with access to Rainbow Boulevard. The drive-thru is entered on the east side of the building, with the menu board and the call box at the northeast portion of the building, drivers then circle around the building and pick up their food at the window at the southwest side of the building. Pedestrian access is provided to the rest of the center through a sidewalk along the south side of the parcel. A bypass lane is provided to allow cars to bypass the drive thru, however, this reduces the amount of landscaping adjacent to the Blue Diamond Road.



There is a large right of way for Blue Diamond and decorative rock is placed in the right of way. Instead of landscaping adjacent to Blue Diamond additional trees are placed adjacent to the drive-thru lane, so the view at the street will still have a nice, landscaped view. There is landscaping at the northeast portion of the site. This site will blend with the overall development and be a welcome addition to the area. This is the 6<sup>th</sup> Freddy's in the Las Vegas valley.

During the review of the drainage study, the grade was suggested by public work to increase, therefore we need to file for a design review as a public hearing to increase the grade to 3.36' where 3' is allowed..

Requested applications:

Design Review as a public hearing for the building.

Waiver of landscaping adjacent to Blue Diamond Road (provided adjacent to the drive thru).

Design Review as a public hearing to increase the grade to 3.36' where a maximum of 3' is allowed.

We respectfully request your approval of this request.

Yours truly,

*Lucy Stewart*

Lucy Stewart



SHOPPING CENTER  
(TITLE 30)

RAINBOW BLVD/SHELBOURNE AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-23-0415-GWEDA HOLDING LIMITED PARTNERSHIP:**

**ZONE CHANGE** to reclassify 4.0 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) driveway departure distance; and 3) driveway throat depth.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a shopping center.

Generally located on the southwest corner of Rainbow Boulevard and Shelbourne Avenue within Enterprise. JJ/jor/syp (For possible action)

RELATED INFORMATION:

**APN:**  
176-15-601-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase a proposed decorative block wall to 8 feet where 6 feet is the maximum allowed per Chapter 30.64 (a 33% increase)
2. Reduce the driveway departure distance to 160 feet, 6 inches where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 15% reduction).
3. Reduce the driveway throat depth to 6 feet, 11 inches where 75 feet is required per Uniform Standard Drawing 222.1 (a 84% reduction).

**DESIGN REVIEWS:**

1. Alternative parking lot landscaping for landscape finger islands where Figure 30.64-14 is required.
2. A proposed shopping center.

**LAND USE PLAN:**  
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4

- Project Type: Proposed shopping center
- Number of Stories: 1
- Building Height (feet): 35 maximum
- Square Feet: 39,055
- Parking Required/Provided: 195/200

#### Site Plan & Request

The site plan depicts an in-line retail building design (with a breezeway in the center of the building), and the front faces east towards Rainbow Boulevard. Access to the site is provided via driveways along Shelbourne Avenue (north), Rainbow Boulevard (east), and Camero Avenue (south). Parking is located around the perimeter of the site, 195 parking spaces are provided where 200 are required. The site plan depicts loading spaces along the west facing elevation of the buildings, trash enclosures are located along the west property line, and pedestrian walkways are provided north, east, and south of the retail building. Lastly the site plan shows a proposed 8 foot high decorative block wall along the west property line.

The applicant is requesting a conforming zone change to reclassify the site from R-E zoning to C-1 zoning for a proposed shopping center. A design review is required for alternative parking lot landscaping. Furthermore, this application includes a waiver of development standards to allow an 8 foot high decorative block wall, where 6 feet is the maximum allowed per Title 30. There are 2 additional waiver requests for the driveway departure distance and the driveway throat depth.

#### Landscaping

The site plan depicts detached sidewalks along the north, south, and east property lines. Landscaping such as 24 inch box trees and 5 gallon shrubs will be planted throughout the site. The applicant embellished the north, south, and eastern parking lot areas with the required landscape fingers islands per Chapter 30.64. The applicant is providing alternative parking lot landscaping along the west property line; and since a sufficient amount of trees is provided throughout the site a design review for alternative parking lot landscaping is warranted.

#### Elevations

The plan shows a 1 story retail building with a maximum height of 35 feet. The applicant designed the building to include a centrally located breezeway, varying roof parapet heights, stucco exterior walls, metal canopies/screens for architectural interest, and wood veneer accents.

#### Floor Plans

The provided floor plan shows a rectangular shaped in-line retail building with an overall area of 39,055 square feet.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is requesting to reclassify the site to C-1 zoning for the development of retail business or personal services and to serve as a convenience to neighborhoods and limited local

markets. The waiver to reduce the required departure distance on Camero Avenue is necessary since the driveways are located as far as possible from the intersection. The reduction in driveway throat depth is warranted since there are no parking spaces within 30 lineal feet, and this will not negatively impact vehicles entering the site. The overall design of the site includes perimeter landscaping with a sufficient amount of trees throughout the shopping center and an 8 foot high decorative block wall for screening along the west property line.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Open Lands	P-F	Southwest Career and Technical Academy
South	Corridor Mixed-Use	C-2	Undeveloped
East	Corridor Mixed-Use	C-2	Shopping center
West	Public Use	R-E	Undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0416	A vacation and abandonment for easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning  
Zone Change**

The applicant is requesting to reclassify the subject parcel from R-E zoning to C-1 zoning. Staff finds that this request is conforming to the Master Plan and supports Policy 1.3.3. Neighborhood Services which states, in part, that development should encourage the integration of grocery stores, restaurants, medical offices, and other daily-needs services as part of or adjacent to neighborhoods. Reclassifying the site to C-1 zoning for a proposed shopping center promotes surrounding neighborhoods to have additional connections to local businesses. The site is immediately adjacent to C-2 zoning to the south and to the east. The request is compatible to the area; therefore, staff can support this request.

**Waivers of Development Standards**

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

### Waivers of Development Standards #1

The site plan shows a proposed decorative block wall along the west property line. The applicant is requesting to increase the wall height to 8 feet where 6 feet is the maximum allowed per Title 30. Staff finds that the wall height does not pose a negative impact to the undeveloped parcel to the west. The proposed decorative block wall will adequately screen the proposed shopping center from any future development to the west. Staff also supports this request.

### Design Reviews

The submitted plans show an aesthetically pleasing design for a shopping center that is balanced in terms of scale and architectural design. The proposed shopping center design will contribute to enhancing the streetscape along Shelbourne Avenue, Rainbow Boulevard, and a portion of Camero Avenue. Since staff supports the zone change, staff can also support the design reviews.

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

#### Waiver of Development Standards #2

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

#### Waiver of Development Standards #3

Staff can support the request to reduce the throat depth for the commercial driveways on Shelbourne Avenue, Rainbow Boulevard, and Camero Avenue as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Shelbourne Avenue, 25 feet to the back of curb for Camero Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- 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.

**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 #0239-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: SHLV LLC  
CONTACT: JASON VOSSMER, 7115 BERMUDA RD, LAS VEGAS, NV 89119**







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

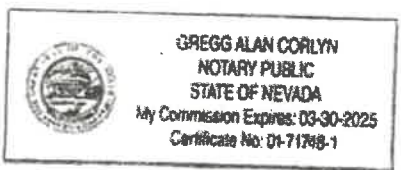
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ZC-23-0415</u> DATE FILED: <u>7/6/23</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8/9/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9/6/23</u> FEE: <u>\$ 2200</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Etweeda Holding Limited Partnership</u> ADDRESS: <u>1413 Castle Crest Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>SHLU LLC</u> ADDRESS: <u>3395 S Jones Blvd unit 218</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(858) 925-3271</u> CELL: <u>(858) 925-3271</u> E-MAIL: <u>tobytailinson@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Jason Vossmer</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: <u>702.677.0862</u> E-MAIL: <u>JasonV@LMConstructionco.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-15-601-004  
 PROPERTY ADDRESS and/or CROSS STREETS: NW Corner of Rainbow & Shelbourne  
 PROJECT DESCRIPTION: Shopping Center

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

Joseph G. Fabrizio      Joseph G. Fabrizio  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 3/10/2023 (DATE)  
 By Gregg Alan Corlyn  
 NOTARY PUBLIC: Gregg Alan Corlyn



\*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.



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[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

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Justification Letter

March 23, 2023  
June 5, 2023 (Revised, Pre-review)

20-23-0415

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

**Subject: Shopping Center - Conforming Zone Change, Design Review and Waiver of Development Standards for a Shopping Center located at the Southwest Corner of Rainbow Blvd & Shelbourne Ave - APN: 176-15-601-004**

To whom it may concern:

APN: 176-15-601-004 is located on the southwest corner of Rainbow Blvd & Shelbourne Ave and is currently a vacant, undeveloped +/- 3.9 acre parcel. The applicant is proposing to construct a 39,055 sq/ft shopping center with restaurant and retail uses. The overall shopping center will have varying heights with a maximum of 35'-0" above the finish floor.

The following 'Conforming Zone Change' is being requested:

1. The current zoning classification for this parcel is Rural Estates Residential (R-E) in the land use plan area of Enterprise. The planned land use is Neighborhood Commercial (NC). We are requesting the zoning for this parcel be changed to a Local Business District (C-1). This district is established to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. We believe this project fits the above description of the intent for this area.

The following 'Waiver of Development Standards' (WS) are being requested:

1. Reduce the required departure length from Clark County Area Uniform Standard Drawing No. 222.1 requirements to 160'-6-5/8" on Camero Ave where 190'-0" is required. The justification for this waiver is that we have located the driveways as far as we can on the property. We believe there will be little to no impact regarding the shorter departure length. Per our pre-review meeting with public works.



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2. Reduced throat depth for the driveway located on Rainbow Blvd to 68'-9 5/8" where 75' is required. The justification for this waiver is that there are no parking stalls within 100' + lineal feet away and will not impact vehicles entering this location. Per our pre-review meeting with public works.
3. Reduced throat depth for the driveway located on Shelbourne Ave to 18'-6 1/4" where 75' is required. The justification for this waiver is that there are no parking stalls within 39' +/- lineal feet away and will not impact vehicles entering and existing at this location. Per our pre-review meeting with public works.
4. Reduced throat depth for the driveway located on Camero Ave to 6'-10 1/4" where 75' is required. The justification for this waiver is that there are no parking stalls within 30' +/- lineal feet away and will not impact vehicles entering and existing at this location. Per our pre-review meeting with public works.
5. Increase stall count between landscape fingers from 7 up to 24 stalls when 6 is the listed maximum per Figure 30.64-14. The justification for this is that we want to maximize the parking count to accommodate the demand of the building size. We have thoughtfully and carefully laid out the parking landscape fingers so that no one cluster of stalls are overbearing to the site. We've kept the largest cluster to the rear, westside of the proposed shopping center where the employees will be encouraged to park.

The following Design Review (DR) IS being requested:

1. For one +/- 39,055 sq/ft single story shopping center.

This project will not create additional stress on the community and will provide additional access to restaurants and retail uses for the community and businesses. The building has been designed and will be constructed in accordance with Title 30 requirements.



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[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

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We feel this use is very compatible with the existing General Commercial Sites and hereby request approval for the Waivers of Development Standards, and the associated Design Review.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jason D Vossmer".

Jason D Vossmer  
L M construction Co., LLC

09/06/23 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

RAINBOW BLVD/SHELBOURNE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0416-GWEDA HOLDING LIMITED PARTNERSHIP:**

**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Camero Avenue (alignment) and between Rainbow Boulevard and Montessori Street and a portion of a right-of-way being Rainbow Boulevard located between Shelbourne Avenue and Camero Avenue (alignment) within Enterprise (description on file). JJ/jor/syp (for possible action)

**RELATED INFORMATION:**

**APN:**

176-15-601-004

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

This request is to vacate and abandon government patent easements located along the north, south, and west property lines of the subject parcel. A 33 foot wide patent easement is located along the west property line and an 8 foot wide patent easement is located along north and south property lines. In addition, the applicant is requesting to vacate a portion of right-of-way being Rainbow Boulevard to accommodate detached sidewalks.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Open Lands	P-F	Southwest Career and Technical Academy
South	Corridor Mixed-Use	C-2	Undeveloped
East	Corridor Mixed-Use	C-2	Shopping center
West	Public Use	R-E	Undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0415	A zone change to reclassify the site from R-E to C-1 zoning with waivers and design reviews for a shopping center is a companion item on this agenda.

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

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

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

#### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

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

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

- Right-of-way dedication to include 25 feet to the back of curb for Shelbourne Avenue, 25 feet to the back of curb for Camero Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 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.

### **Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SHLV LLC

**CONTACT:** JASON VOSSMER, 7115 BERMUDA RD, LAS VEGAS, NV 89119

DRAFT







PLANNER  
COPY  
16A

# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>VS-23-0416</u>	<b>DATE FILED:</b> <u>7/6/23</u>
		<b>PLANNER ASSIGNED:</b> <u>JAC</u>	<b>TAB/CAC DATE:</b> <u>8/9/23</u>
		<b>TAB/CAC:</b> <u>Enterprise</u>	
		<b>PC MEETING DATE:</b> _____	
		<b>BCC MEETING DATE:</b> <u>9/6/23</u>	
		<b>FEE:</b> <u>875</u>	

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>GWEDA Holding Limited Partnership</u>
	<b>ADDRESS:</b> <u>1413 Castle Crest Dr.</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89113</u>
	<b>TELEPHONE:</b> _____ <b>CELL:</b> _____
	<b>E-MAIL:</b> _____

<b>APPLICANT</b>	<b>NAME:</b> <u>SHLV, LLC.</u>
	<b>ADDRESS:</b> <u>3395 S. Jones Blvd. Unit 218</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89146</u>
	<b>TELEPHONE:</b> <u>(858) 925-3271</u> <b>CELL:</b> <u>(858) 925-3271</u>
	<b>E-MAIL:</b> <u>tobytailinsong@gmail.com</u> <b>REF CONTACT ID #:</b> _____

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Ray Fredericksen/Per4mance Engineering</u>
	<b>ADDRESS:</b> <u>4525 W. Hacienda Ave. Ste 1</u>
	<b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89118</u>
	<b>TELEPHONE:</b> <u>702-569-9770</u> <b>CELL:</b> <u>702-569-9770</u>
	<b>E-MAIL:</b> <u>rayf@per4mance.com</u> <b>REF CONTACT ID #:</b> _____

**ASSESSOR'S PARCEL NUMBER(S):** 176-15-601-004

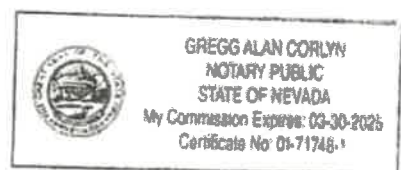
**PROPERTY ADDRESS and/or CROSS STREETS:** NWC - Rainbow Blvd & Shelbourne Ave.

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.

Joseph G. Fabrizio  
**Property Owner (Signature)\***

Joseph G. Fabrizio  
**Property Owner (Print)**

STATE OF NEVADA  
COUNTY OF CLARK  
SUBSCRIBED AND SWORN BEFORE ME ON 3/23/2023 (DATE)  
By Gregg Alan Corlyn  
NOTARY PUBLIC: Gregg Alan Corlyn



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



March 21, 2023

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

VS-23-0414

**Re: Rainbow & Shelbourne - Vacation of Patent Easements & Public Right-of-Way  
(APN(s): 176-15-601-004)**

Dear Planner,

Per4mance Engineering, LLC. on behalf of the applicant, SHLV, llc., respectfully submits this justification letter in support of the Vacation application for the subject development. The request is to vacate all existing patent easements located along the project boundary lines that will end up outside public right of way. In addition, the developer is requesting vacation(s) of Public Right-of-Way along Rainbow Boulevard.

The 33-ft patent easements are located along the west, north, and south property lines. The entire 33-ft patent easement along the west property line is being requested to be vacated at this time while only the 8-ft outside the future public right of way dedication (25-ft from center line to back of curb) will be vacated along the northern and southern property lines. Please refer to the enclosed exhibits for exact location.

The 5-ft Public right-of-way is being requested for vacation along the west side of Rainbow Boulevard. Since the developer will be providing detached sidewalks, the western most 5-ft of the existing public right of way will need to be vacated at this time.

By vacating the patent easements, the site will have a clear title and be free of encumbrances for development.

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.  
President

09/06/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

CIMARRON RD/WINDMILL LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0421-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**

**ZONE CHANGE** to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

**DESIGN REVIEW** for a single family residential development.

Generally located on the south side of Windmill Lane, approximately 300 feet east of Cimarron Road within Enterprise (description on file). JJ/r/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-16-501-002

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 36
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 3,300/9,831
- Project Type: Single family residential
- Number of Stories: 1 and 2
- Building Height (feet): 21 (1 story maximum)/26 (2 story maximum)
- Square Feet: 2,684 (1 story)/1,916-2,423 (2 story)

**Site Plan**

The plans depict a proposed 36 lot single family residential subdivision with 4 common elements on approximately 5 acres. Overall density is 7.2 dwellings per acre. Four private streets are shown within the proposed subdivision which are 38 feet in width. Access to the subdivision is shown from Windmill Lane. Thirty-two lots will range from 3,300 to 4,763 square feet and will feature 2 story homes. Four lots adjoining the R-E zone RNP-I overlay to the south will be

significantly larger ranging from 8,441 to 9,831 square feet and will feature single story homes only.

**Landscaping**

The plans depict landscaping in area within the subdivision and common elements. Landscaping includes 24-inch box trees planted 20 feet on center, 5 gallon shrubs, with decorative rock and groundcover. Landscaping with a detached sidewalk is shown along Windmill Lane in accordance with Figure 30-64.17. Landscaping is also indicated along several internal private streets and in the rear of the lots along the southern boundary of the development which borders the R-E zone, RNP-I overlay.

**Elevations**

The plans depict 2 different architectural elevations for both the 1 story and 2 story homes. All homes will use stucco finishes and concrete tile roofs. Some will feature window baskets, masonry veneer, and other architectural enhancements such as pitched rooflines.

**Floor Plans**

The applicant is proposing 3 different 2 story home plans, with 3 bedrooms, an option for 1 additional bedroom and optional covered patios. Floor plans range from 1,916 square feet to 2,423 square feet. The single story homes will have one, 2,684 square foot floor plan with 4 to 5 bedrooms. All plans include great rooms, kitchen, pantry, and 2 car garages.

**Applicant's Justification**

The applicant states that the request to change the zoning from R-E to R-2 is conforming to the current land use designation of Mid-Intensity Suburban Neighborhood 8 du/ac. Single story homes up to 20 foot - 4.75 inches in height are proposed on 4 lots adjacent to the R-E zone, RNP-I overlay as a buffer to the 2 story homes on the remainder of the site. Less than 2 feet of cut-fill is proposed which does not require a design review as a public hearing. No waivers of development standards are required for this development. The south half of the Windmill Lane right-of-way will be dedicated as part of the subdivision final map.

**Prior Land Use Requests**

Application Number	Request	Action	Date
MP-0466-02	Major Project for neighborhood plan on 3,125 acres	Approved by BCC	August 2002

**Surrounding Land Use**

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

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0422	A vacation and abandonment of patent easements is a companion item on this agenda.
TM-23-500088	A tentative map for 36 single family lots and 4 common elements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Zone Change

The proposed zone change is in conformance to the Master Plan. The proposed development is also compatible with existing, approved, and planned land uses in the surrounding area. This includes an existing single family residential subdivision, Madison Hills, east of this site zoned R-2. To the south are properties designated Ranch Estates Neighborhood (up to 2 du/ac) and zoned R-E/RNP-I overlay which is a mix of undeveloped property and developed single family neighborhoods on approximately half-acre lots. Areas to the west are planned for Neighborhood Commercial, and undeveloped. The R-2 zone will be consistent with the Master Plan Policy EN-1.1 for the Enterprise area which encourages compatible infill development. The proposed design will include larger lots on the south side that should adequately transition to the R-E/RNP-I area to the south which supports Master Plan Policy 1.4.5. This design will also encourage compatible development which supports Policy 1.5.2. Therefore, staff can support the zone change request.

Design Review

The architectural design of the residences is consistent with the existing single family homes in the area and is similar in density of those developments within the immediate area to the east. The applicant has also considered the potential impact on the existing and future residential areas to the south zoned R-E and located within the RNP overlay. Proposed lots which border this area are designed to have 1 story homes for a maximum of approximately 20 feet in height. A structure's height can impact the adjoining residential areas, especially when existing development is of a less intense nature. Staff can support the design review based on the proposal with a condition to limit homes constructed on lots adjoining the R-E (RNP-I) zone to the south to be single story only.

**Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Single story homes only on lots adjacent to the R-E (RNP-I) zoned parcels to the south;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the design review must commence within 4 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 45 feet to the back of curb for Windmill Lane.
- 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.

### **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 #0237-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TOLL SOUTH LV LLC

**CONTACT:** TOLL SOUTH LV LLC, 1140 N. TOWN CENTER DR, SUITE 280, LAS VEGAS, NV 89144



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 17A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input 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>26-23-0421</u> DATE FILED: <u>7/10/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8/9/23</u></p> <p>PC MEETING DATE: <u>-</u> @ <u>6:00 P.M.</u></p> <p>BCC MEETING DATE: <u>9/6/23 @ 9:00 A.M.</u></p> <p>FEE: <u>\$1,725</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>VENTO GAIL ETAL and GAGLIARDI LIVING TRUST</u></p> <p>ADDRESS: <u>4A Canada del Rancho</u></p> <p>CITY: <u>Santa Fe</u> STATE: <u>NM</u> ZIP: <u>87508</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>Toll South LV, LLC</u></p> <p>ADDRESS: <u>1140 N Town Center Dr, Suite 280</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u></p> <p>TELEPHONE: <u>702-216-7403</u> CELL: _____</p> <p>E-MAIL: <u>SBHPlanning@tollbrothers.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Toll South LV, LLC</u></p> <p>ADDRESS: <u>1140 N Town Center Dr, Suite 280</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u></p> <p>TELEPHONE: <u>702-216-7436</u> CELL: <u>702-824-6014</u></p> <p>E-MAIL: <u>isummers@storybooknewhomes.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-16-501-002

PROPERTY ADDRESS and/or CROSS STREETS: Near SEC Windmill & Cimmaron

PROJECT DESCRIPTION: Single Family Detached Residential R-2 zoning development

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

Property Owner (Signature)\*
 

Ric GAGLIARDI  
 Property Owner (Print)

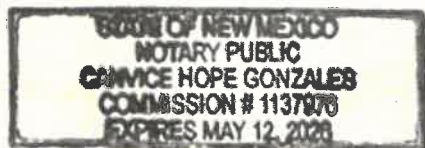
STATE OF New Mexico

COUNTY OF Santa Fe

SUBSCRIBED AND SWORN BEFORE ME ON March 23, 2023 (DATE)

By Ric Gagliardi

NOTARY PUBLIC: Gravice Hope Gonzales



\*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 26, 2023

Clark County Planning  
500 Grand Central Pkwy, 1<sup>st</sup> Floor  
Las Vegas, NV 89155-1741

**PLANNER  
COPY**

**RE: APN 176-16-501-002 Letter of Request and Justification**

Dear Sir or Madam,

Please accept this letter of request as our justification for a conforming zone change amendment including design review, tentative map, and vacation of public ROW and corresponding easements.

The subject property is 5.0 gross acres located approximately 330' East of the intersection of W. Windmill Ln. and S. Cimarron Rd. in the CC Enterprise township and is currently zoned R-E with a Land Use Guideline designation of Mid-Intensity Suburban Neighborhood (up to 8 du/ac).

The surrounding property on the North side of Windmill Ln is land use designated Public Use (PU). The property to the West is designated Neighborhood Commercial (NC), and the property to the East is zoned R-2. All properties to the South are designated Ranch Estates Neighborhood (up to 2 du/ac).

This request is to change the zoning of the property to R-2, which is conforming to the Mid-Intensity Suburban Neighborhood land use. We are requesting approval of a Tentative Map consisting of 36 subdivided lots which will equate to 7.2 dwelling units per gross acre, with a minimum lot size of 3,300 square feet with a maximum of 9,831 square feet, for an average of 4,182 square feet. The SFR detached product being built will consist of two-story homes ranging in size from 1,916 livable square feet to 2,423 livable square feet and heights from 22'10" to 25'10". This development will also consist of 2,684 square feet single story plans along the Southern boundary as a buffer to the adjacent RE zoning, RNP overlay landuse. The height of this product ranges from 18'4 3/4" to 20' 4 3/4".

Access to the subdivision is provided by a connection to Windmill Ln. The cross section shows less than 2 feet of cut-fill, therefore a design review as a public hearing is not required. There are no waivers of development standards that will be required for this development. The South half of W. Windmill Ln will need to be publicly dedicated as part of this subdivision final map.

We believe this is a nice addition to the neighborhood, it will allow for new, reasonably priced homes in the neighborhood, and we respectfully request approval. Please feel free to contact me with any questions.

Thank you,



Isaac Summers  
Director of Community Planning



09/06/23 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

WINDMILL LN/CIMARRON RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0422-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**

**VACATE AND ABANDON** easements of interest to Clark County located between Windmill Lane and Camero Avenue, and between Cimarron Road and Warbonnet Way within Enterprise (description on file). JJ/tr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-16-501-002

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of existing government patent easements. The applicant states that these easements are no longer needed for road and/or utility or other purposes. The specific request is to abandon the 33 foot wide patent easements located along the east, south, and west boundaries of APN 176-16-501-002. The abandonment of these easements will facilitate the development of a proposed 36 lot single family detached home subdivision on the subject property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
MP-0466-02	Major Project for neighborhood plan on 3,125 acres	Approved by BCC	August 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	R-E	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Undeveloped & single family residential
East	Neighborhood Commercial	R-2	Single family residential
West	Neighborhood Commercial	R-E	Undeveloped

The site and the surrounding area are in the Public Facilities Needs Assessment area (PFNA)

## Related Applications

Application Number	Request
ZC-23-0421	A zone change from R-E to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-23-500088	A tentative map for 36 single family lots and 4 common elements is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Public Works - Development Review

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

##### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive Planning

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

#### Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back of curb for Windmill Lane;
- 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.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TOLL SOUTH LV LLC

**CONTACT:** TOLL SOUTH LV LLC, 1140 N. TOWN CENTER DR, SUITE 280, LAS VEGAS, NV 89144

DRAFT





# VACATION APPLICATION 18A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0422</u>	DATE FILED: <u>7/10/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>8/9/23</u>
		TAB/CAC: <u>ENTERPRICE</u>	PC MEETING DATE: <u>-</u>
		BCC MEETING DATE: <u>9/6/23 @ 9:00 AM</u>	FEE: <del>\$150.00</del> <u>\$875.00</u>

<b>PROPERTY OWNER</b>	NAME: <u>VENTO GAIL ETAL and GAGLIARDI LIVING TRUST</u>
	ADDRESS: <u>4A Canada del Rancho</u>
	CITY: <u>Santa Fe</u> STATE: <u>NM</u> ZIP: <u>87508</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Toll South LV, LLC</u>
	ADDRESS: <u>1140 N Town Center Dr, Suite 280</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u>
	TELEPHONE: <u>702-216-7403</u> CELL: _____
	E-MAIL: <u>SBHPlanning@tollbrothers.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Toll South LV, LLC</u>
	ADDRESS: <u>1140 N Town Center Dr, Suite 280</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u>
	TELEPHONE: <u>702-216-7436</u> CELL: <u>702-824-6014</u>
	E-MAIL: <u>isummers@stroybooknewhomes.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-16-501-002

PROPERTY ADDRESS and/or CROSS STREETS: SWC Windmill & Cimmaron

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

[Signature]  
 Property Owner (Signature)  
 STATE OF NEW MEXICO  
 COUNTY OF Santa Fe  
 SUBSCRIBED AND SWORN BEFORE ME ON May 15 2023 (DATE)  
 By Ric Gagliardi  
 NOTARY PUBLIC Canvace Hope Gonzales

Ric GAGLIARDI  
**Property Owner (Print)**  
 STATE OF NEW MEXICO  
 NOTARY PUBLIC  
 CANVACE HOPE GONZALES  
 COMMISSION # 1137976  
 EXPIRES MAY 12 2026

\*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 17, 2023

Clark County Current Planning  
500 Grand Central Pkwy, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**RE: APN 176-16-501-002 Letter of Request and Justification for Vacation APR-23-100388**

Dear Sir or Madam,

Please accept this letter of request as our justification for a vacation and abandonment of a patent easement for a proposed 36-unit single family detached development. The subject property is 5.0 gross acres located approximately 330' East of the intersection of W. Windmill Ln. and S. Cimarron Rd. in the CC Enterprise township.

This vacation request is a companion to the pre-review request APR-23-100388.

The patent easement included in this request is subject to a Right of Way not exceeding 33 feet in width, for roadway and public utilities purposes, and is located along the North, South, East, and West boundaries of the subject property. These easements are no longer needed for road and/or utility or other easement purposes.

This request will facilitate the development of the subject site as detailed in APR-23-100388.

We believe this development will bring a positive benefit to the surrounding community as it will allow for new, reasonably priced homes in the neighborhood.

Please feel free to contact me with any questions.

Thank you,

Isaac Summers  
Director of Community Planning

**PLANNER  
COPY**

WINDMILL & CIMARRON  
(TITLE 30)

WINDMILL LN/CIMARRON RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-23-500088-VENTO GAIL ETAL & GAGLIARDI LIVING TRUST:**

**TENTATIVE MAP** consisting of 36 residential lots and 4 common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Windmill Lane, approximately 300 feet east of Cimarron Road within Enterprise (description on file). JJ/rr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-16-501-002

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

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

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 36
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 3,300/9,831
- Project Type: Single family residential

**Project Description**

The applicant is proposing a development for single family detached residences to be constructed on APN 176-16-501-002. The site has an overall total acreage of 5 acres with a density of 7.2 dwelling units per acre where 8 dwelling units per acre is allowed per Table 30.40-2. The development, Windmill & Cimarron, will be a 36 lot single family residential subdivision with 4 common lots with approximately 0.3 acres of open space where no open space is required per Title 30. The entrance to the development is provided via a 38 foot wide private street that connects to Windmill Lane. Common Element A is located along Windmill Lane. Common Element B is also located along Windmill Lane and extends south along the western edge of the subdivision within a proposed 5 foot wide drainage easement. The other common elements are located along the internal private streets. Detached sidewalks with landscaping will be located along Windmill Lane.

**Prior Land Use Requests**

Application Number	Request	Action	Date
MP-0466-02	Major Project for neighborhood plan on 3,125 acres	Approved by BCC	August 2002

**Surrounding Land Use**

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

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

**Related Applications**

Application Number	Request
VS-23-0422	A vacation and abandonment of patent easements is a companion item on this agenda.
ZC-23-0421	A zone change from R-E to R-2 zoning for a single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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:**

**Comprehensive Planning**

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



map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Windmill Lane.
- 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.

**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 #0237-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TOLL SOUTH LV LLC

**CONTACT:** TOLL SOUTH LV LLC, 1140 N. TOWN CENTER DR, SUITE 280, LAS VEGAS, NV 89144





# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING **19A**

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-23-500088</u> DATE FILED: <u>7/10/23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8/9/23</u> PC MEETING DATE: <u>-</u> <u>6:00 P.M.</u> BCC MEETING DATE: <u>9/6/23 @ 9:00 A.M.</u> FEE: <u>\$750.00</u>

<b>PROPERTY OWNER</b>	NAME: <u>VENTO GAIL ETAL and GAGLIARDI LIVING TRUST</u>
	ADDRESS: <u>4A Canada del Ranch</u>
	CITY: <u>Santa Fe</u> STATE: <u>NM</u> ZIP: <u>87508</u>
	TELEPHONE: _____      CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Toll South LV, LLC</u>
	ADDRESS: <u>1140 N Town Center Dr, Suite 280</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u>
	TELEPHONE: <u>702-216-7403</u> CELL: _____
	E-MAIL: <u>SBHPlanning@tollbrothers.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Toll South LV, LLC</u>
	ADDRESS: <u>1140 N Town Center Dr, Suite 280</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u>
	TELEPHONE: <u>702-216-7436</u> CELL: <u>702-824-6014</u>
	E-MAIL: <u>isummers@storybooknewhomes.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-16-501-002

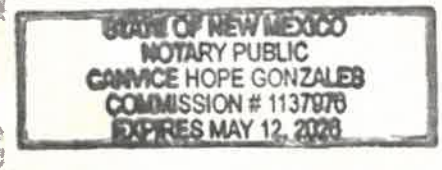
PROPERTY ADDRESS and/or CROSS STREETS: SWC Windmill & Cimmaron

TENTATIVE MAP NAME: Storybook Homes - Windmill & Cimmaron

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]      RIC GAGLIARDI  
 Property Owner (Signature)      Property Owner (Print)

STATE OF New Mexico  
 COUNTY OF Santa Fe  
 SUBSCRIBED AND SWORN BEFORE ME ON March 23, 2023 (DATE)  
 By RIC GAGLIARDI  
 NOTARY PUBLIC Ganvice Hope Gonzales



\*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 26, 2023

Clark County Planning  
500 Grand Central Pkwy, 1<sup>st</sup> Floor  
Las Vegas, NV 89155-1744

TY-23-500088

**RE: APN 176-16-501-002 Tentative Map Letter of Acknowledgement for APR-23-100821**

Dear Sir or Madam,

The subject property known as APN 176-16-501-002 is 5.0 gross acres located approximately 330' East of the intersection of W. Windmill Ln. and S. Cimarron Rd. in the Clark County Enterprise township.

The Tentative Map application for APR-23-100821 is a companion to a Land Use Application and a Vacation and Abandonment application under the same APR.

The purpose of this letter is to provide our acknowledgement that we are aware the Tentative Map application will not be heard at the normal Zoning Commission hearing, but rather at the Zoning Commission hearing where the companion applications will be heard.

Please feel free to contact me if any further information is required for this application.

Thank you,

Isaac Summers  
Director of Community Planning

**PLANNER  
COPY**