



## ENTERPRISE TOWN ADVISORY BOARD

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

August 10, 2022

6:00pm

### AGENDA

#### Note:

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

Barris Kaiser – Vice Chair  
Joseph Throneberry

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

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

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

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

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

- III. Approval of Minutes for July 27, 2022. (For possible action)
- IV. Approval of the Agenda for August 10, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
  - 1. **DR-22-0400-CHURCH HOPE BAPTIST LAS VEGAS INC:**  
**DESIGN REVIEW** for a building addition to an existing place of worship on 14.3 acres in a P-F (Public Facility) Zone. Generally located on the north side of Cactus Avenue and the west side of Radcliff Street (alignment) within Enterprise. MN/al/syp (For possible action) **09/06/22 PC**
  - 2. **NZC-22-0385-BECKER ERNEST A IV & KATHLEEN C FAMILY TRUST & BECKER ERNEST A IV & KATHLEEN C TRS:**  
**ZONE CHANGE** to reclassify 1.5 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.  
**USE PERMITS** for the following: **1)** convenience store; **2)** reduced separation from a convenience store to a residential use; **3)** gasoline station; and **4)** reduced separation from a gasoline station to a residential use.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design.  
**DESIGN REVIEWS** for the following: **1)** convenience store with gasoline sales; and **2)** finished grade. Generally located on the east side of Hualapai Way and the north side of Serene Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **09/06/22 PC**
  - 3. **UC-22-0391-SILVERADO RANCH CENTRE, LLC:**  
**USE PERMIT** for a pawn shop within an existing shopping center on a 1.3 acre portion of a 15 acre site in a C-2 (General Commercial) Zone. Generally located on the west side of Maryland Parkway and the south side of Silverado Ranch Boulevard within Enterprise. MN/rk/syp (For possible action) **09/06/22 PC**
  - 4. **UC-22-0398-DIAMOND SANDS APARTMENTS, LLC:**  
**USE PERMIT** to allow long/short term lodging in conjunction with an existing multiple family residential development on a portion of 16.5 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 Wigwam Avenue within Enterprise. MN/rk/syp (For possible action) **09/06/22 PC**

5. **UC-22-0402-AFFILIATE INVESTMENTS, LLC:**  
**USE PERMITS** for the following: 1) convenience store; and 2) reduce the separation from a convenience store to a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow access to a local street; and 2) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) modifications to an approved shopping center; and 2) alternative parking lot landscaping on 3.4 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/jgh/syp (For possible action) 09/06/22 PC
  
6. **UC-22-0417-K & J'S EXCELLENT ADVENTURE, LLC:**  
**USE PERMITS** for the following: 1) outdoor dining and drinking; and 2) on-premises consumption of alcohol (supper club & service bar)  
**DESIGN REVIEW** for outside dining and seating areas in conjunction with proposed restaurants within a shopping center on 3.7 acres in a C-1 (local business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Richmar Avenue within Enterprise. JJ/jgh/syp (For possible action) 09/06/22 PC
  
7. **UC-22-0414-ABS MOUNTAINS EDGE ENTERPRISE, LLC:**  
**USE PERMIT** to reduce setbacks from a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce height from grade for hanging signs; 2) increase the number of hanging signs; 3) permit wall signs to face a residential development; and 4) permit an animated sign.  
**DESIGN REVIEWS** for the following: 1) vehicle (automobile) wash; 2) signage; 3) lighting; and 4) finished grade on 1.9 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Rainbow Boulevard, 295 feet south of Mountains Edge Parkway within Enterprise. JJ/md/syp (For possible action) 09/07/22 BCC
  
8. **UC-22-0420-MAJESTIC NV PPTY HOLDINGS, LLC:**  
**USE PERMIT** for a multiple family development.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) alternative external building materials; and 3) reduce parking.  
**DESIGN REVIEWS** for the following: 1) multiple family development; and 2) fabric membrane structure (tent) in conjunction with multiple family development on 69.0 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 and AE-65) Zone. Generally located on the south side of Blue Diamond Road and between I-15 and Valley View Boulevard within Enterprise. JJ/bb/ja (For possible action) 09/07/22 BCC
  
9. **VS-22-0396-MAGNUS VEGAS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Torino Avenue (alignment) and between Monte Cristo Way and Montessouri Street (alignment), and a portion of right-of-way being Tenaya Way located between Wigwam Avenue and Torino Avenue within Enterprise (description on file). JJ/bb/jo (For possible action) 09/07/22 BCC

- 10. **TM-22-500141-MAGNUS VEGAS, LLC:**  
**TENTATIVE MAP** consisting of 94 single family residential lots and common lots on 37.9 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise. JJ/al/jo (For possible action) **09/07/22 BCC**
  
- 11. **WS-22-0394-S H S 1, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase the maximum allowed site disturbance area within hillside development; and **2)** reduced setbacks.  
**DESIGN REVIEW** for a final grading plan for a residential development within a hillside area on 10.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Edmond Street (alignment) and the north and south sides of Chartan Avenue (alignment) within Enterprise. JJ/bb/jo (For possible action) **09/07/22 BCC**

VII. General Business

- 1. None.

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

IX. Next Meeting Date: August 31, 2022.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
 Windmill Library – 7060 W. Windmill Lane



# Enterprise Town Advisory Board

July 27, 2022

## MINUTES

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

Greg Cervan 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 May 4, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for July 13, 2022.

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

### IV. Approval of Agenda for June 1, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

The staff has requested the following applications be **DELETED** from this agenda:

12. UC-22-0370-SOUTHERN HIGHLANDS GOLF CLUB:
13. TM-22-500121-SOUTHERN HIGHLANDS GOLF CLUB:

Related applications:

3.ET-22-400085 (VS-20-0081)-KULAR GULZAR SINGH:

4.ET-22-400086 (WS-20-0080)-KULAR GULZAR SINGH:

6.NZC-22-0381-ROOHANI KHUSROW FAMILY TRUST:

7.VS-22-0382-ROOHANI KHUSROW FAMILY TRUST:

8.TM-22-500129-ROOHANI KHUSROW FAMILY TRUST:

V. Informational Items

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

- Las Vegas Metropolitan Police Department Enterprise Area Command  
FIRST TUESDAY

Active-Assailant Presentation

August 2nd, 2022, 6 pm to 7pm

Windmill Library, 7060 W Windmill Ln, Las Vegas, NV 89113

- Las Vegas Metropolitan Police Department Enterprise Area Command  
BACK TO SCHOOL

July 30th , 10 am – 1 pm

Free Backpacks, Ice cream, Hot dogs, games.

Windmill Library, 7060 W Windmill Ln, Las Vegas, NV 89113

Sponsored by:

Commissioner Michel Naft

Blue Bell Ice Cream

Health plan of Nevada

Clark County Library District.

VI. Planning & Zoning

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

**DESIGN REVIEW** for a drive-thru addition in conjunction with an existing restaurant on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, approximately 200 feet south of Warm Springs Road within Enterprise. MN/hw/ja (For possible action) **08/02/22 PC**

Motion by David Chestnut

Action: **DENY**

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

2. **TM-22-500124-BELTWAY BUSINESS PARK LLC & SWITCH COMM GROUP LLC-LEASE:**

**TENTATIVE MAP** consisting of 1 commercial lot on approximately 48.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the southwest corner of Badura Avenue and Decatur Boulevard within Enterprise. MN/sd/ja (For possible action) **08/02/22 PC**

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

3. **ET-22-400085 (VS-20-0081)-KULAR GULZAR SINGH:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** an easement of interest to Clark County located between Blue Diamond Road and Agate Avenue (alignment) and between Rainbow Boulevard and Inspiration Drive and a portion of right-of-way being Rainbow Boulevard located between Blue Diamond Road and Agate Avenue (alignment) and Agate Avenue (alignment) between Rainbow Boulevard and Inspiration Drive within Enterprise (description on file). JJ/jud/tk (For possible action) **08/16/22 PC**

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

4. **ET-22-400086 (WS-20-0080)-KULAR GULZAR SINGH:**

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

**DESIGN REVIEW** for a convenience store with gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with a drive-thru on 2.2 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/jud/tk (For possible action) **08/16/22 PC**

Motion by Joseph Throneberry  
Action: **APPROVE:**  
**ADD** Current Planning Conditions:  
• Design Review as a public hearing for lighting and signage.  
Per staff conditions  
Motion **PASSED** (5-0) /Unanimous

5. **ET-22-400087 (VS-19-0941)-HIGHLAND PROPERTY MANAGEMENT, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Jones Boulevard and Bronco Street (alignment), and between Torino Avenue and Ford Avenue within Enterprise (description on file). JJ/sr/tk (For possible action) **08/16/22 PC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

6. **NZC-22-0381-ROOHANI KHUSROW FAMILY TRUST:**  
**ZONE CHANGE** to reclassify 16.8 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; 2) reduce open space; and 3) street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) single family residential development; and 2) finished grade. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise (description on file). JJ/md/jo (For possible action) **08/16/22 PC**

Motion by Barris Kaiser  
Action: **DENY**.  
Motion **PASSED** (5-0) /Unanimous

7. **VS-22-0382-ROOHANI KHUSROW FAMILY TRUST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Arville Street and Hinson Street, and between Richmar Avenue and Silverado Ranch Boulevard; and a portion of a right-of-way being Arville Street located between Richmar Avenue and Silverado Ranch Boulevard; and a portion of right-of-way being Silverado Ranch Boulevard located between Arville Street and Hinson Street within Enterprise (description on file). JJ/md/jo (For possible action) **08/16/22 PC**

Motion by Barris Kaiser  
Action: **DENY**.  
Motion **PASSED** (5-0) /Unanimous

8. **TM-22-500129-ROOHANI KHUSROW FAMILY TRUST:**  
**TENTATIVE MAP** consisting of 160 residential lots and common lots on 16.8 acres in an RUD (Residential Urban Density) Zone. Generally located on the east side of Arville Street and the north side of Silverado Ranch Boulevard within Enterprise. JJ/md/jo (For possible action) **08/16/22 PC**

Motion by Barris Kaiser  
Action: **DENY**.  
Motion **PASSED** (5-0) /Unanimous

9. **UC-22-0369-SAH FAMILY TRUST & HESTER-HARPER PATRICE A. ET AL:**  
**USE PERMIT** to reduce the rear setback of a proposed patio cover in conjunction with a single family residence on 0.2 acres in an R-3 (Multiple Family Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the west side of Zagarolo Lane, 68 feet north of Fonseca Drive, and northeast of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/16/22 PC**

Motion by Justin Maffett  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (5-0) /Unanimous



10. **UC-22-0371-SDMIBD, LLC:**  
**USE PERMITS** for the following: 1) restaurant; and 2) retail use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; and 2) reduce throat depth.  
**DESIGN REVIEWS** for the following: 1) lighting; 2) signage; and 3) proposed commercial building in conjunction with an existing commercial complex on 2.7 acres in an H-2 (General Highway Frontage) Zone. Generally located on the south side of Blue Diamond Road and the west side of Lindell Road within Enterprise. JJ/jor/tk (For possible action) **08/16/22 PC**

Motion by David Chestnut

Action: **APPROVE**.

**ADD** Current Planning conditions:

- All wall mounted lighting shall be fully shielded.
- All wall mount signage facing residential shall not be illuminated.
- Construct a wall or berm to block vehicle head lights shining east toward the residential.

Per staff conditions.

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

11. **ET-22-400088 (VS-20-0090)-YORK RANCH, LLC:**  
**FIRST EXTENSION OF TIME TO VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Dean Martin Drive and I-15; a portion of a right-of-way being Dean Martin Drive located between Wigwam Avenue and Ford Avenue; and a portion of right-of-way being Wigwam Avenue located between Dean Martin Drive and I-15 within Enterprise (description on file). JJ/sr/tk (For possible action) **08/17/22 BCC**

Motion by Joseph Throneberry

Action: **APPROVE** per staff conditions.

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

12. **UC-22-0370-SOUTHERN HIGHLANDS GOLF CLUB:**  
**USE PERMIT** to allow modified development standards.  
**WAIVER** to allow a modified street section standard in conjunction with a proposed 5 lot single family residential development on a portion of 155.0 acres in an R-2 (Medium Density Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the north side of Robert Trent Jones Lane, 780 feet west of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/17/22 BCC**

The staff has requested this application be **DELTED** from this agenda.

13. **TM-22-500121-SOUTHERN HIGHLANDS GOLF CLUB:**  
**TENTATIVE MAP** consisting of 6 lots on 155.0 acres in an R-2 (Medium Density Residential) Zone within the Southern Highlands Master Planned Community. Generally located on the north side of Robert Trent Jones Lane, 780 feet west of Southern Highlands Parkway within Enterprise. JJ/jor/tk (For possible action) **08/17/22 BCC**

The staff has requested this application be **DELTED** from this agenda.

14. **UC-22-0377-KETHER, LLC:**  
**USE PERMITS** for the following: **1)** reduce the separation of a proposed convenience store; **2)** reduce the setback of a proposed vehicle wash; and **3)** reduce the setback of a proposed gasoline station.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce height setback ratio; **2)** driveway geometrics; **3)** reduce throat depth; **4)** reduce approach distance; **5)** reduce departure distance; and **6)** allow non-standard improvements within the right-of-way.  
**DESIGN REVIEW** for a shopping center on 3.5 acres in a C-2 (General Commercial) Zone in the Mountains Edge Master Planned Community. Generally located on the south side of Cactus Avenue and the west side of Rainbow Boulevard within Enterprise. JJ/jor/ja (For possible action) **08/17/22 BCC**

Motion by David Chestnut

Action: **DENY.**

Motion **PASSED** (3-2) / Maffett-Nay, Throneberry-Nay

VII. General Business:

1. None.

VIII. Public Comment:

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

- None.

IX. Next Meeting Date

The next regular meeting will be August 10, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut

Action: **ADJORN** meeting at 8:56 p.m.

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

09/06/22 PC AGENDA SHEET

BUILDING ADDITION  
(TITLE 30)

CACTUS AVE/RADCLIFF ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-22-0400-CHURCH HOPE BAPTIST LAS VEGAS INC:**

**DESIGN REVIEW** for a building addition to an existing place of worship on 14.3 acres in a P-F (Public Facility) Zone.

Generally located on the north side of Cactus Avenue and the west side of Radcliff Street (alignment) within Enterprise. MN/al/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-27-401-028; 177-27-801-016

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

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

**General Summary**

- Site Address: 850 E. Cactus Avenue
- Site Acreage: 14.3
- Project Type: Building addition to an existing place of worship
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 8,882 (building addition)
- Parking Required/Provided: 695/894

**Site Plan**

The existing place of worship consists of 3 buildings located in the central portion of the site with parking located to the north, east, and west. Access to the site is provided by 3 existing driveways from Cactus Avenue. The 3 existing buildings consist of a large worship hall, small worship hall, and school/childcare building which are located around a courtyard and playground area. The large worship hall is to the northwest of the courtyard, the small worship hall is to the south of the courtyard, and the school/childcare building is to the northeast. The proposed addition is to the southeast of the courtyard and will connect the small worship hall to the school/childcare building.

### Landscaping

No changes are proposed or required to the existing landscape areas as part of this request. Existing landscape areas are located along Cactus Avenue, within the parking areas, and adjacent to the buildings.

### Elevations

The building addition is 1 story with a maximum height of 28 feet. The addition has a flat roof behind parapet walls, which is similar to the existing buildings on the site. The exterior of the building has a stucco finish that will be painted to match the color scheme of the existing buildings.

### Floor Plans

The addition has an area of 8,882 square feet. The plans show an entry concourse which will connect the addition to the small worship hall and the school/childcare building. The plan also depicts 2 auditoriums, restrooms, storage areas, and a special needs classroom.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the addition will be used for youth ministries for the Wednesday children's service, Thursday evening services, and Sunday morning service. The addition will also be used for community outreach programs and other church meetings will be held nightly throughout the week as needed.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-19-0617	Alternative parking lot landscaping and building addition for a place of worship	Approved by BCC	October 2019
UC-0158-13	Childcare facility and playground	Approved by PC	May 2013
UC-0074-10 (ET-0041-12)	First extension of time to commence the redesign of a place of worship with ancillary uses, buildings, and lighting	Approved by PC	May 2012
DR-0504-11	2 freestanding signs in conjunction with a place of worship	Approved by PC	December 2011
DR-0475-10	Redesign of a place of worship with a waiver of landscaping on the eastern property line	Approved by PC	November 2010
UC-0074-10	Place of worship	Approved by PC	November 2010
VS-10-0242	Vacated and abandoned easements along Pollock Drive (alignment) and Cactus Avenue	Approved by PC	July 2010



# LAND USE APPLICATION

# 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE



<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-22 0400</u> DATE FILED: <u>7-14-2022</u> PLANNER ASSIGNED: <u>TM</u> TAB/CAC: <u>Enrique</u> TAB/CAC DATE: <u>8-10-22</u> PC MEETING DATE: <u>9-6-22</u> BCC MEETING DATE: _____ FEE: <u>\$675.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Hope Baptist Church of Las Vegas, Inc.</u> ADDRESS: <u>850 E Cactus Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-896-5924</u> CELL: <u>702-672-2110</u> E-MAIL: <u>morne@hopechurchlv.com</u>
	<b>APPLICANT</b>  NAME: <u>Hope Baptist Church of Las Vegas, Inc.</u> ADDRESS: <u>850 E Cactus Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-896-5924</u> CELL: <u>702-672-2110</u> E-MAIL: <u>morne@hopechurchlv.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: _____ ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-27-801-016

PROPERTY ADDRESS and/or CROSS STREETS: 850 E Cactus Ave, Las Vegas, Nevada 89183


PROJECT DESCRIPTION: Hope Church Kids Building

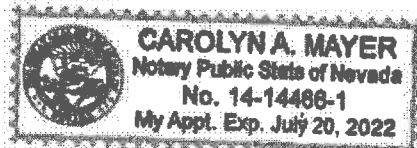
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

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

STATE OF Nevada  
 COUNTY OF Clark

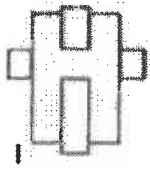
SUBSCRIBED AND SWORN BEFORE ME ON February 9, 2022 (DATE)  
 By CAROLYN A. MAYER

NOTARY PUBLIC: 



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

APR-22-100 479



## HOPECHURCH

web: [www.hopechurchonline.com](http://www.hopechurchonline.com)

address: 850 E. Cactus Ave, Las Vegas, NV 89183

office: 702.896.5824 fax: 702.263.3622

### JUSTIFICATION LETTER CLARK COUNTY DEPARTMENT OF BUILDING SERVICES

The Hope Baptist Church facility will be constructing a Phase III site improvement plan. As a recap, Phase I was a single story tilt up building that consisted of a 1,000-seat worship center with lobby and support space with a two-story tilt up children's/administration building with adjacent parking areas, and landscape per code requirements. Both the Phase I buildings had architectural features consisting of raw corrugated metal on the building exterior and rooftop screens. The Phase II plan consisted of a worship center building that would seat 1,733 with a lobby and support space in addition to added parking as required by code.

The intent of this new Justification Letter is to list the changes need to the site to accommodate our current use and needs. In Phase III the existing Phase I buildings will be adjoined with an expanded meeting space intended for youth ministries. The building will be a single level structure with metal framed walls and stucco exteriors. The exterior wall color will be more neutral toned to blend in with the surrounding developed buildings. It will be painted to match the color and neutral palette of the new building so the entire campus is copesetic and consistent. All the buildings will have dark bronze accent colors to match the window mullions and coping at the top of the walls.

The new Phase III building's proposal design will yield a total 8,882 square feet, with a maximum building height of 27'-6".

The planned use of Phase III is as follows: The new construction of children's meeting center for the Wednesday kid's service and Thursday evening services, Sunday morning services. Community outreach programs and church meetings will be held nightly throughout the week and may use the space.

Hope Baptist Church will not need to provide additional parking as current counts meet code requirements for the planned expansion in Phase III.

An approved Traffic Analysis was approved, dated June 2, 2010 in the previous entitlement submission for the development of Phase I and Phase II of this site.

CONVENIENCE STORE  
(TITLE 30)

HUALAPAI WY/SERENE AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-22-0385-BECKER ERNEST A IV & KATHLEEN C FAMILY TRUST & BECKER ERNEST A IV & KATHLEEN C TRS:**

**ZONE CHANGE** to reclassify 1.5 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

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

**WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design.

**DESIGN REVIEWS** for the following: 1) convenience store with gasoline sales; and 2) finished grade.

Generally located on the east side of Hualapai Way and the north side of Serene Avenue within Enterprise (description on file). JJ/rk/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-19-201-015

**USE PERMITS:**

1. Allow a convenience store in a C-1 zone per Table 30.44-1.
2.
  - a. Reduce the separation from a convenience store to a residential use to the east to 10 feet where 200 feet is required per Table 30.44-1 (a 95% reduction).
  - b. Reduce the separation from a convenience store to a residential use to the north to 17 feet where 200 feet is required per Table 30.44-1 (a 92% reduction).
3. Allow a gasoline station in a C-1 zone per Table 30.44-1.
4.
  - a. Reduce the separation from a gasoline station to a residential use to the east to 37 feet where 200 feet is required per Table 30.44-1 (an 82% reduction).
  - b. Reduce the separation from a gasoline station to a residential use to the north to 131 feet where 200 feet is required per Table 30.44-1 (an 35% reduction).

**WAIVER OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce the approach distance from a driveway to an intersection along Serene Avenue to 50 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 66% reduction).

- b. Reduce the departure distance from an intersection to a driveway along Hualapai Way to 110 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 42% reduction).
- c. Reduce the approach distance from a driveway to an intersection along Hualapai Way to 119 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 21% reduction).
- d. Reduce throat depth for the driveway along Hualapai Way to a minimum of 10 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 60% reduction).

**DESIGN REVIEWS:**

1. For a proposed convenience store with gasoline sales.
2. Increase finished grade to 48 inches (4 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 33% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.5
- Project Type: Convenience store with gasoline sales
- Number of Stories: 1
- Building Height (feet): Up to 28
- Square Feet: 4,106
- Parking Required/Provided: 17/20

**Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting at the Windmill Library on December 23, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 2 attendees present at the open house meeting for this project. The attendees had concerns about traffic, visual impacts, and general incompatibility of the project with the residential area.

Site Plans

The plans depict a proposed development consisting of convenience store and gas station. The convenience store is located near the northeast portion of the site, with the gasoline canopy located just south of the convenience store near the central portion of the property. To the east and north are developing single family residential lots. The building is set back 10 feet from east property line and 17 feet from the north property line. A total of 20 parking spaces are distributed throughout the site. Access to the proposed development is from Hualapai Way and Serene Avenue. This request also includes several waivers for approach and departure distances, throat depth, and residential separation.



Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Hualapai Way, and an approximate 15 foot wide landscape area behind an attached sidewalk is shown along Serene Avenue. A 10 foot wide intense landscape buffer which includes a double row of off-set trees is shown on the east and north sides of the convenience store building, with the remaining areas having a single row of trees and groundcover that are 20 feet apart. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

The building is 1 story, up to 28 feet high, consisting of colored stucco, decorative cornice molding, metal canopies, and aluminum storefront window system. The height of the building varies slightly from 22 feet to 28 feet and has been designed to break-up the roofline and enhance the overall look of the building. The gasoline canopy is approximately 23 feet high and will have similar materials and design as the convenience store.

Floor Plans

The convenience store has an area of 4,106 square feet consisting of customer service areas, sales floor, gaming area, storage areas, restrooms, and an office.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the C-1 zoning request is appropriate at the intersection of 2 major roads (Hualapai Way and Serene Avenue) making the request suitable for a neighborhood commercial use. The applicant believes that the proposed zone change will benefit the development of this area because it supports the Countywide Policy 1.3.3 which in summary states to encourage integration of daily needs services adjacent to new neighborhoods to minimize the need for longer vehicle trips. Furthermore, the waivers associated with this application are due to the narrowness of the site. The site has been configured in the best possible way to fit the proposed uses on the property.

Prior Land Use Requests

Application Number	Request	Action	Date
LUP-20-700092	Redesignated the planned land use category from RS (Residential Suburban) to CG (Commercial General)	Cancelled by BCC	July 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-2	Subdivided single family residential

**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-2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Subdivided single family residential
West	Open Lands	R-U	Undeveloped

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

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

The applicant indicates that when the prior land use plan update was considered for approval (2020), the applicant appeared and requested General Commercial land use on the property. But during the open house events and town board meetings, the property owner agreed to be downgraded to Neighborhood Commercial use, equivalent to the C-1 zoning now being sought. Subsequently, the County Commission halted the overall land use plan update due to the pandemic. However, staff disagrees with the assessment that Neighbor Commercial uses are appropriate on a property that is only 1.5 acres, and which is surrounded by rural open lands to the west and developing R-2 zoned subdivisions to the north and east. Additionally, staff finds there are multiple undeveloped properties planned for Neighborhood Commercial and commercial Corridor Mixed-Use along Blue Diamond Road to the north to accommodate the needs of this business. Therefore, staff finds that there has been no change in law, policies, trends, or facts that have substantially changed the character or condition of the immediate area.

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

The applicant indicates most of the design elements and landscape buffers of this project will be harmonious with the existing development in the area and will mitigate any impacts to the surrounding properties. However, staff finds the land use context of the entire area on the east side of Hualapai Way is already zoned R-2 and has existing or developing single family

residences. Staff finds the request to zone an isolated parcel in the middle of an area that has developed with residential uses results in spot-zoning since the proposed development may be incompatible with surrounding homes and favors a particular owner.

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

There has been no indication from public utility purveyors that the proposed nonconforming zone change will have a negative impact on public services or infrastructure.

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

The applicant indicates this project will contribute towards the provision of necessary public infrastructure in accordance with the Southwest Valley Public Facilities Needs Assessment and maintain existing rights-of-way and plan for the extension of rights-of-way needed for this project. Staff finds the isolated location of the requested C-1 zoning, in relation to the surrounding zoning districts, is not compatible with the existing land uses. For example, Policy 1.4.4 encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Here, C-1 zoning would allow a convenience store and gasoline station that is not compatible with the scale and intensity of the future single family residences surrounding this site. Furthermore, Policy 6.2.3 encourages appropriate transitions for character of development and neighborhood compatibility. Here, this site is an isolated commercial parcel in the middle of an area that has developed with single family residences. As a result, the nonconforming zone boundary amendment does not comply with applicable policies in the Master Plan.

## **Summary**

### **Zone Change**

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. The reclassification of this site to a C-1 zoning district for the proposed project would allow potentially incompatible uses with the developed R-2 zoning districts to the east and north. Staff finds that the proposed request does not satisfy all the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to C-1 zoning; therefore, staff recommends denial.

### **Use Permits and Design Review #1**

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 minimum separation of 200 feet between convenience store/gasoline station and residential use is necessary to help mitigate negative impacts from noise, odor, other nuisances, and to air quality. A convenience store and gasoline station are permitted in the C-1 zoning district subject to acquiring the approval of a use permit and complying with conditions. The proposed uses are

separated from the developing residential uses by a minimum of 10 feet. The site is too small for this intense of a use which is surrounded by single family residential lots, on two sides. Furthermore, approval of the use permit is contingent upon approval of the nonconforming zone change and design review which staff cannot support; therefore, staff cannot support these requests.

Waivers of Development Standards

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

**Public Works - Development Review**

Waiver of Development Standards #1a

Staff cannot support any driveway on Serene Avenue as the site is too small to accommodate a driveway that would be safe for the public. The site can be designed to take advantage of a single driveway on Hualapai Way.

Waiver of Development Standards #1b, #1c, and #1d

Staff cannot support the location and throat depth for the Hualapai Way driveway. While it is not possible to meet both the minimum approach and departure distances, a site redesign needs to be considered. With minimal throat depth due to a loading space that will be difficult to access, parking spaces, and the open area around the gas pumps, staff finds that driver confusion and obstructions will result in conflicts, causing potential collisions in the right-of-way.

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 staff does not support the rest of the application, staff cannot support this request.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on October 4, 2022 at 1:00 p.m., unless otherwise announced.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Hualapai Way, 40 feet for Serene Avenue, and associated spandrel;
- Vacate any unnecessary rights-of-way and easements.
- 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; 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 signs, structures, utility poles, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

### **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 #0332-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** ERNEST A. BECKER INVESTMENT COMPANY  
**CONTACT:** ERNEST A. BECKER INVESTMENT COMPANY, 3065 N. RANCHO DR.  
STE. 132, LAS VEGAS, NV 89130

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 checked="" type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>N2C-22.0385</u> 176-19-201-015</p> <p>PLANNER ASSIGNED: <u>RR</u></p> <p>TAB/CAC: <u>Enterprise</u></p> <p>PC MEETING DATE: <u>9-C-22</u></p> <p>BCC MEETING DATE: <u>10-4-22</u></p> <p>FEE: <u>\$3,795.00</u></p> <p>DATE FILED: <u>6-22-22</u></p> <p>TAB/CAC DATE: <u>8.10.22</u></p> <p>R.E to C-1</p> <p>Mid-Intensity Suburban J.J. LUP 20.7200 92</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Ernest A Becker IV &amp; Kathleen C Becker Family Trust</u></p> <p>ADDRESS: <u>3065 North Rancho Drive Suite # 132 I</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u></p> <p>TELEPHONE: <u>702-331-8080</u> CELL: <u>702-771-7779</u></p> <p>E-MAIL: <u>eabj@eabinv.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Ernest A. Becker IV &amp; Kathleen C Becker Family Trust</u></p> <p>ADDRESS: <u>3065 North Rancho Drive suite # 132</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u></p> <p>TELEPHONE: <u>702-331-8080</u> CELL: <u>702-771-7779</u></p> <p>E-MAIL: <u>eabj@eabinv.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>K.C. Camis</u></p> <p>ADDRESS: <u>652 Middlegate Suite B</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89011</u></p> <p>TELEPHONE: <u>702-262-9473</u> CELL: _____</p> <p>E-MAIL: <u>kccamis@gmail.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-015

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai and Serene

PROJECT DESCRIPTION: Convenience store with beer, wine and gas.

(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) ERNEST A BECKER IV

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 1 2021 (DATE)

By Ernest A Becker IV

NOTARY PUBLIC: Maureen K Amos

MAUREEN K. AMOS  
NOTARY PUBLIC  
STATE OF NEVADA  
My Commission Expires: 02-25-25  
Certificate No: 21-5938-01

\*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 6, 2022  
W.O. 8143

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

**Subject: Justification Letter for:**  
**1. Design Review**  
**2. Non-Conforming Zone Change**  
**3. Special Use Permit**  
**4. Waiver of Development Standards**

APN 176-19-201-015

**Planning Department,**

We are requesting the approval of a Design Review, Non-Conforming Zone Change, Special Use Permit, and Waiver of Development Standards for the parcel 176-19-201-015. Ernest A Becker IV & Kathleen C Becker Family Trust is proposing to develop the subject parcel of land as a Convenience Store of 4,000 square feet with an existing zoning of R-E (Rural Estates Residential) being proposed as C-1 (Local Business District) within the Enterprise Land Use planning area, Commissioner Justin Jones' district.

The applicant is requesting the approval of the following land use cases:

1. Design Review for a proposed 4,000 square foot Convenience Store
2. Non-Conforming Zone Change from R-E to C-1
3. Special Use Permit for a Convenience Store/Gas Station in the C-1 district
4. Waiver of Development Standard for the following:
  - a. To reduce the standard departure distance (CCAUSD #222.1)
  - b. To reduce the standard approach distance (CCAUSD #222.1)
  - c. To reduce separation of convenience store in C-1 from residential use (Table 30.44-1)

The project site is bound by properties with planned land use and zoning as follows:

- North: R-E (Rural Estates Residential)
- East: R-2 (Medium Density Residential)
- South: R-2 (Medium Density Residential)
- West: R-U (Rural Open Land)



**Design Review**

**Request # 1**

*The applicant is requesting to allow fill greater than 36 inches.*

**Response**

The natural topography of the site falls and drains to the northeast corner of the site. The existing subdivision to the northeast has installed a concrete lined drainage easement to except the historical flows that drain to this location. Due this portion of the site having an historical low spot, 3.5' to 4' of fill is required for the proposed building's finish floor elevation to meet the drainage criteria of 1.5' above the centerline crown elevation of Hualapai Way. The fill is only required in the northeast corner of the site and is isolated to this location only.

**The Project**

*The applicant is requesting approval for a 4,000 square foot building and a 2,740 square foot fuel canopy area on a 1.44-acre undeveloped site. The property is located on the north side of Serene Avenue and the east side of Hualapai Way, specifically APN 176-19-201-015. The site is currently zoned R-E (Rural Estates Residential), with proposed zoning of C-1 (Local Business District), within the Enterprise Land Use planning area. The site is to be utilized as a convenience market with beer, wine, and a gas station. The proposed building is modern and similar in overall appearance, color, and materials to other commercial properties throughout the Las Vegas Valley. The proposed improvements will include entry driveways, onsite parking area, sidewalks, and landscaping.*

**Site Data**

Project Site:	1.44 acres (gross) 1.06 acres (net)
Building area:	4,000 sf.
Parking Required:	4/1,000sf. = 16 Spaces (Table 30.60-1)
Parking Provided:	19 Spaces
Handicap Required:	1 Spaces (Table 30.60-5)
Handicap Provided:	2 Spaces
Bicycle Parking Required:	< 1 (1 per 20,000 sf) (Table 30.60-2)
Bicycle Parking Provided:	0
Loading Spaces Required:	0 Spaces (Less than 5,000sf.) (Table 30.60-6)
Loading Spaces Provided:	1 Space (15'x25')

### **Non-Conforming Zone Change**

*The applicant is requesting a Non-Conforming Zone Change from R-E (Rural Estates Residential) to C-1 (Local Business District)*

### **Response**

The applicant believes that the proposed zone change will benefit the development of this area because it supports the Countywide Policy 1.3.3 which in summary states to “encourage integration of daily-needs services adjacent to new neighborhoods to minimize the need for longer-vehicle trips”. Technical studies will be completed in order to address any concerns in regard to stormwater and drainage. Development of this parcel will provide dedication to Serene Avenue and Hualapai Way as desired by a traffic study. This request does not pose any negative impacts on the area and is justified more thoroughly in the following Compelling Justification:

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

Numerous zone changes, both conforming and nonconforming, have taken place in this area during the two-year process during which the applicant has been seeking approval for the subject project. These changes include the rezoning of immediately abutting properties that has isolated this parcel at the intersection of two major roads (Hualapai and Serene) and made it unsuitable for anything for anything other than neighborhood commercial uses which are now requested. Significantly, when the immediate prior master plan was considered for approval, the applicant appeared and requested General Commercial status for the property, the Enterprise Town Board accepted the appropriateness of commercial use, but downgraded the recommendation to Neighborhood Commercial, equivalent to C-1 now being sought. Subsequently, the County Commission halted the overall master plan which included this property and adopted property and adopted a new process allowing nonconforming zone to go forward has been allowed by Commissioner Jones. Newer iterations of the master plan have left this property in nonconforming status while this application has been in process.

2. *“The density and intensity of the uses allowed by the nonconforming zone change with the existing and planned land uses in the surrounding area.”*

Substantially the entire area on the east side of Hualapai is already zoned R-2 as part of designed “Mid-intensity Suburban Neighborhood.” When the applicant approached the Enterprise Town Board, he sought a General Commercial designation on the subject on the subject parcel, but the judgement of the town was that “Neighborhood Commercial” was more appropriate. That proposed designation was not carried through to adoption for reasons unrelated to this parcel, but now applying for C-1 zoning the applicant believes he fulfills the intent of neighborhood commercial and that the uses allowed in neighborhood commercial zoning are inherently compatible with a “Mid-intensity Suburban Neighborhood.” To argue otherwise is to suggest that a “suburban neighborhood” should only of miles of houses without commercial services.”

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

Subsequent technical studies will address issues such as storm water and drainage. There will be no increased demand affecting schools or parks since the proposed development does not involve any new residential uses. The applicant anticipates that fire and police impacts will be minimal, but also recognizes that a PFNA will call for contributions for those services. With regard to roads and access, development of this parcel will have the favorable effect of provided dedication to complete the desired width of both Serene and Hualapai, together with whatever traffic management devices are required by the traffic study.

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

The proposed project supports Countrywide Policy 1.3.3. “Encourage the integration of grocery stores, restaurants, medical offices, and other daily-needs serviced services as part of or adjacent to new adjacent to new neighborhoods to minimize the need for longer-vehicle trips,” as well as Enterprise-specific Policies EN 2-1 and EN-4-1: “Require new development to contribute towards the provision of necessary public infrastructure in accordance with the Southwest Valley Public Facilities Needs Assessment Report (PRNA)” and “Maintain existing rights of way and plan for the extension of rights-of-way needed for the continuation of the continuation of major streets to support street connectivity” by dedicating and improving critical portions of both Hualapai and Serene.

### **Special Use Permit**

*The applicant is requesting a Special Use Permit to develop the proposed convenience store/gas station in the commercial district C-1 (Table 30.44-1).*

### **Response**

The purpose of C-1 (Local Business District) is “to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods” and the intent of the district is “for sites which are typically on a site less than 10 acres...” per Title 30.40.200. At this time, the proposed building will be the only convenience store/gas station within 2 miles of the surrounding residential developments at Serene Avenue and Hualapai Way. Additionally, the parcel was recommended for “Neighborhood Commercial” classification during the Enterprise Town Board hearing for the master plan

### **Waiver of Development Standards**

#### **Request # 1**

*The applicant is requesting a waiver to CCAUSD #222.1 to allow the reduction of 110’ departure distance where 190’ is the standard.*

**Response**

The applicant believes that driveway width is more important for both traffic and operational reasons than compliances with arbitrary departure distance which might be desirable for larger parcels. The convenience market use is desirable and consistent with the County's 225 Option B' 80' driveway, which precludes the standard 190' departure distance on Hualapai. The APN 176-19-201-015 is a remnant 1.44-acre parcel entirely surrounded by approved projects by other developers. The requested use of a convenience market is consistent with the previous Enterprise Town Board recommendations for the master plan status of "Neighborhood Commercial".

***Request # 2***

*The applicant is requesting a waiver to CCAUSD #222.1 to allow the reduction of 50' approach distance where 150' is the standard.*

**Response**

The applicant believes that driveway width is more important for both traffic and operational reasons than compliances with arbitrary approach distance which might be desirable for larger parcels. The convenience market use is desirable and consistent with the County's 225 Option B' 80' driveway. A 50' approach is the maximum available on Serene while providing the preferred Option B commercial driveway. The APN 176-19-201-015 is a remnant 1.44-acre parcel entirely surrounded by approved projects by other developers. The requested use of convenience market is consistent with the previous Enterprise Town Board recommendations for the master plan status of "Neighborhood Commercial".

***Request # 3***

*The applicant is requesting to reduce the required separation between a convenience store in C-1 to residential use from 200' to 10' (Table 30.44-1).*

**Response**

The subject parcel was recommended for "Neighborhood Commercial" classification during the previous Enterprise Town Board hearing on the most recent Master Plan Amendment with full knowledge of the parcel's limited size. There is intensive landscaping proposed between the residential development and the proposed convenience store to create a buffer in order to soften the boundary. The proposed development of a convenience store/as station supports the purpose and intent of C-1 (Local Business District) (Title 30.40.200).

We thank you in advance for your time and consideration. If you have any questions or comments, please feel free to contact me at 702-873-7550.

Sincerely,

*Kenneth F. Nicholson*

Kenneth F. Nicholson, P.E.

VTN Nevada

cc. Ernest Becker, Ernest A. Becker Investment Company

09/06/22 PC AGENDA SHEET

PAWN SHOP  
(TITLE 30)

MARYLAND PKWY/SILVERADO RANCH BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0391-SILVERADO RANCH CENTRE, LLC:**

**USE PERMIT** for a pawn shop within an existing shopping center on a 1.3 acre portion of a 15 acre site in a C-2 (General Commercial) Zone.

Generally located on the west side of Maryland Parkway and the south side of Silverado Ranch Boulevard within Enterprise. MN/rk/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-27-510-013 ptn

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9775 S. Maryland Parkway
- Site Acreage: 1.3 (portion)
- Project Type: Pawn shop
- Number of Stories: 1
- Building Height (feet): 25
- Square feet: 1,250 (lease area)
- Parking Required/Provided: 49/84 (portion of shopping center)

**Site Plans**

The plans depict a shopping center consisting of 1 large in-line retail building and 1 commercial building along the west portion of the site, and 4 developed pad sites along Maryland Parkway to the east. The pawn shop is proposed within one of the tenant spaces near the south end of the in-line building. Access to the site is granted via existing commercial driveways along Maryland Parkway, Silverado Ranch Boulevard, and Le Barron Avenue. The proposed use is not within 200 feet of any residential use on a separate property.

Landscaping

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

Elevations

The lease area will be located within an existing 1 story in-line retail building. The existing building features stucco finished walls, pop-outs, and aluminum storefront systems. The building has varied rooflines ranging in height from 23 feet to 25 feet.

Floor Plans

The proposed tenant space is 1,250 square feet and consists of a business area and merchandise holding area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the site is located on 2 larger intersections being Maryland Parkway and Silverado Ranch Boulevard. The use meets the required separation between a pawn shop and the Gaming Enterprise District and is essentially surrounded by commercial development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0011-97	Reclassified the subject property to C-2 zoning for a shopping center	Approved by BCC	March 1997

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Corridor Mixed-Use	C-2	Remaining portions of the shopping center
West	Public Use	P-F	Silvestri Middle School

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff does not anticipate any adverse impacts from the pawn shop and finds that the use is a retail business to serve as a convenience to neighborhoods and is compatible with the C-2 zoning

district and existing development in the surrounding area. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends approval.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CAMCO, INC

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







# LAND USE APPLICATION 3A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>UC-22-0391</u> DATE FILED: <u>7-6-22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8-10-22</u> PC MEETING DATE: <u>9-6-22</u> C-2 BCC MEETING DATE: <u>—</u> Corridor Mixed-use FEE: <u>\$675.00</u> MN      ZC 0011-97
	<b>PROPERTY OWNER</b>	NAME: <u>Silverado Ranch Centre, LLC</u> ADDRESS: <u>10655 Park Run Drive, #160</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-220-4500 x 229</u> CELL: _____ E-MAIL: <u>rgordon@laurichproperties.com</u>
	<b>APPLICANT</b>	NAME: <u>Camco, Inc.</u> ADDRESS: <u>P.O. Box 370997</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89137</u> TELEPHONE: <u>702-701-9115</u> CELL: <u>702-523-9710</u> E-MAIL: <u>sherri@ztradingpost.com</u> REF CONTACT ID #: <u>702-523-9710</u>
	<b>CORRESPONDENT</b>	NAME: <u>Jennifer Lazovich - 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>jlazovich@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-27-510-013

PROPERTY ADDRESS and/or CROSS STREETS: Maryland Parkway / Silverado Ranch Boulevard

PROJECT DESCRIPTION: UC for pawn shop

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

Property Owner (Signature)\*

Richard Gordon, President  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 20, 2022 (DATE)

By Laura Groseth  
 NOTARY PUBLIC:

**Laura Groseth**  
 Notary Public  
 State of Nevada

My Commission Expires: **07-01-22**  
 Certificate No: **98-3646-1**

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

**KAEMPFER**

**CROWELL**

**ATTORNEYS AT LAW**

LAS VEGAS OFFICE

**JENNIFER LAZOVICH**  
[jlazovich@kcnvlaw.com](mailto:jlazovich@kcnvlaw.com)  
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Fax: 775.327.2011

**CARSON CITY OFFICE**  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.864.8300  
Fax: 775.862.0257

June 7, 2022

**VIA UPLOAD**

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

**Re: *Justification Letter – Special Use Permit to Allow a Pawn Shop***  
**APN: 177-27-510-013**  
***Mack Pawn***

To Whom It May Concern:

Please be advised our office represents Mack Pawn (the “Applicant”) in the above-referenced matter. The Applicant is proposing a pawn shop use on property located at the southwest corner of Maryland Parkway and Silverado Ranch Boulevard, more particularly described as APN: 177-27-510-013 (the “Site”). The Site is approximately 1.24 acres. By way of background, the Site is zoned C-2 and master planned Corridor Mixed-Use (CM). The Site, which is approximately 1.24 acres, is part of an overall larger 15 acre developed commercial shopping center.

The Applicant was recently awarded a pawn shop license by Clark County. The Applicant is now looking to establish a pawn shop on the Site in a portion of an existing building. The total square footage of the pawn shop is approximately 1,250 square feet. In a C-2 zoned district with special use permit approval, a pawn shop is allowed so long as the pawn shop is not within 1,500-feet of any Gaming Enterprise District (GED). Here, the Site, and more specifically the pawn shop, is not located within 1,500-feet of any GED.

The Site is accessible from multiple existing driveways located on Maryland Parkway and Silverado Ranch Boulevard. The Site complies with parking by providing 84 parking spaces where only 49 parking spaces are required.

In addition to complying with the code requirements including meeting the distance separation requirement, the proposed pawn shop is an appropriate use on the Site for the following reasons:

- The Site is located at the busy intersection of Maryland Parkway and Silverado Ranch Boulevard, both 100-foot right-of-ways.
- All four (4) corner of the Maryland/Silverado Ranch intersection have commercial developments.



- The Site is located in an overall larger, 15 acre commercial power center.

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

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

Very truly yours,

**KAEMPFER CROWELL**

A handwritten signature in cursive script that reads "JLazovich".

Jennifer Lazovich

/ajc



09/06/22 PC AGENDA SHEET

LONG/SHORT TERM LODGING  
(TITLE 30)

LAS VEGAS BLVD S/WIGWAM AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0398-DIAMOND SANDS APARTMENTS, LLC:**

**USE PERMIT** to allow long/short term lodging in conjunction with an existing multiple family residential development on a portion of 16.5 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 Wigwam Avenue within Enterprise. MN/rk/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-17-602-009 ptn.

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8445 S. Las Vegas Boulevard
- Site Acreage: 16.5 (portion)
- Number of Units: 48 (long/short term lodging)/360 multiple family units (total)
- Project Type: Long/short term lodging
- Number of Stories: 2
- Square Feet: 740 to 1,121 (long/short term lodging)
- Parking Required/Provided: 540/613 (overall complex)

**Site Plan**

This request is to establish long/short term lodging within a portion of an existing multiple family (apartment) development. The existing development consists of 24 buildings with a total of 360 units which was originally built in 1995. The applicant is not proposing any changes to the buildings or parking areas. The property is currently zoned H-1 on the eastern half of the property, and R-4 and R-3 on the western half. The applicant is looking to utilize up to 48 units dispersed among 3 buildings within the H-1 zoned portion of the property. Access to the site is from Las Vegas Boulevard South to the east. A total of 613 parking spaces are provided where a

minimum of 540 spaces were required when the development was originally approved and constructed.

Landscaping

There is existing mature landscaping, and no changes are proposed or required with this application.

Elevations

The photographs depict 2 story buildings consisting of flat roofs and stucco exteriors. No changes are proposed to the exterior of the building with this application.

Floor Plans

The floor plans for building models A and C are 1 and 2 bedroom units and range in area from 740 square feet to 1,121 square feet. There are no proposed changes to the existing floor plans.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant the property is located on Las Vegas Boulevard South and is surrounded by a hotel timeshare to the north and existing multiple family residential to the north and south. With the growing need for alternative accommodations throughout the Las Vegas Valley due to the overall growth of professional sports teams, concerts, and events, the property is the ideal location for the proposed use. Furthermore, the applicant has successfully managed units in South Florida for several years without any code enforcements complaints. The long/short term lodging units will be managed by the applicant with strict policies in place that are enforced with every guest.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1829-93	220 unit multiple family (apartment) development (Phase I)	Approved by PC	December 1993
UC-1828-93	180 unit multiple family (apartment) development (Phase II)	Approved by PC	January 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Resort hotel time share/condominium (Canon Resort)
South	Entertainment Mixed-Use	H-1 & R-T	Timeshare hotel complex & mobile home park
East	Entertainment Mixed-Use	H-1	Motel, retail center; & undeveloped
West	Entertainment Mixed-Use	R-3	Condominium complex

**Clark County Public Response Office (CCPRO)**

CE-22-17099; CE22-18336; CE22-18341; CE22-18342 are active violations for Air BNB's or short-term rentals being offered within the residential complex.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant is requesting a special use permit to allow long/short term lodging within a portion of an existing apartment complex as a means to legalize the use of some apartment units being offered for short term rentals.

On June 21, 2022, the Board of County Commissioners adopted amendments to the Clark County Code to regulate short-term rentals within unincorporated Clark County pursuant to Assembly Bill No. 363 (2021). Amendments to Business License Department's Title 7 do not allow short term rentals of a residential unit when located within an apartment building. The amendment to Title 7 is consistent with the bill language which stipulated an ordinance regulating short term rentals must prohibit the rental of a residential unit or a room within a residential unit that is located within an apartment building.

Furthermore, Title 30 defines a multiple family (apartment) use as a residential use and long/short term lodging as a commercial establishment with a mixture of transient (period of 30 consecutive calendar days or less) and long-term stay lodging. With the changes to the Clark County Code to regulate short term rentals, Title 30 was amended to clarify transient commercial use of residential development for remuneration is prohibited in all residential zoning districts, or in any miscellaneous zoning district, except as otherwise expressly permitted (in this Title) or as licensed pursuant to Chapter 7.100 of the Clark County Code. With the changes to state law and the Clark County Code, long/short term lodging uses should not be used to allow short term stays within a residential development. Long/short term lodging should only be in conjunction with a hotel, motel, and other types of transient uses as an option for guests/customers who need a longer stay. Additionally, removing available for rent units from the market will impact the availability of housing for residents in Clark County.

For these reasons, staff cannot support the request for long/short term lodging within an existing residential development.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Long/short term lodging is limited to 48 units per exhibit dated July 26, 2022.
- Applicant is advised that 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 of regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Traffic study and compliance;
- Applicant to perform and have recorded a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South;
- Record of survey must be recorded by the applicant prior to the issuance of building permits.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHELSIE CAMPBELL**

**CONTACT: PARKER/SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135**





# LAND USE APPLICATION

# 4A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> <b>USE PERMIT (UC)</b> <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC. 22. 0398</u> DATE FILED: <u>7-11-22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8-10-22</u> PC MEETING DATE: <u>9-6-22</u> <u>H-1 (and R-3 &amp; R-4)</u> BCC MEETING DATE: <u>-</u> <u>Entertainment Mixed-Use</u> FEE: <u>\$675.00</u> <u>MN</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Diamond Sands Apartments, LLC</u> ADDRESS: <u>5800 W Charleston Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Chelsea Campbell</u> ADDRESS: <u>2777 Paradise Road #2004</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Liz Olson - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(s): 177-17-602-009

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

PROJECT DESCRIPTION: Use permit for long/short term lodging

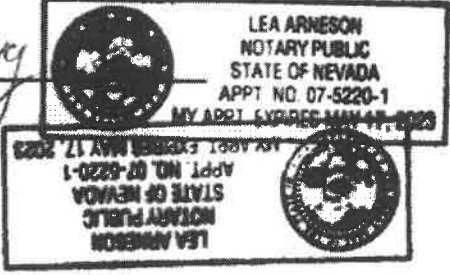
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 4-19-2022 (DATE)  
 By Lea Arneson  
 NOTARY PUBLIC: [Signature]



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELISABETH E. OLSON  
eolson@kcafw.com  
702.792.7000

June 16, 2022

LAS VEGAS OFFICE  
1980 Festival Plaza Drive  
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Fax: 775.327.2011

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

**VIA ONLINE SUBMITTAL**

UC-22-0398

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway  
First Floor  
Las Vegas, Nevada 89155

**Re: Justification Letter – Special Use Permit  
Las Vegas Boulevard and Wigwam  
APN: 177-17-602-009**

Dear Mr. Kaminski:

This office represents the Applicant in the above referenced matter. The property is an existing multi-family residential development located on approximately 16.53 acres on the northwest corner of Wigwam Avenue and Las Vegas Boulevard (the "Property"). The Property is more particularly described as Assessor's Parcel Number 177-17-602-009. The Applicant is requesting a special use permit to allow for long/short term lodging on a portion of an existing multi-family development.

The Property is located on Las Vegas Boulevard, the gateway to the Las Vegas Strip, and is surrounded by a hotel timeshare to the north and existing multi-family residential to the north and south. The Property is currently zoned H-1 on the eastern half of the Property and R-4 and R-3 on the western half. The Property in its entirety has an underlying master plan of Entertainment Mixed-Use (EM), the most intense land use designation under the Clark County Development Code.

The Applicant is looking to utilize up to 48 units dispersed among three (3) buildings for long/short term lodging, which is a permitted use in H-1 upon the approval of a special use permit. Long/short term lodging uses have been previously approved as part of multi-family residential developments when the business plan and operator provide adequate information to show the use can operate in harmony with the long term lease tenants. The buildings utilized will be located within the H-1 zoned portion of the Property.

The parking requirement for short/long term lodging is 1 space per unit. Here, the Applicant is required to ensure there are 48 spaces available for the 48 units. The multi-family development was originally approved with 380 number of spaces where 330 were required – 50 spaces over the number required. Therefore, the required 48 spaces for the short/long term units will not impact the required parking for the multi-family.

Short/long term lodging units mixed in with long term multi-family units have been previously approved in Clark County. For example, the Calida multi-family development on Flamingo and Valley View was approved with a mix of uses (UC-18-0631). So long as the short/long term lodging units are appropriately managed, the two uses can operate cohesively.

Here, the Applicant has successfully managed units in South Florida for several years without any code enforcements complaints. The long/short term lodging units ("units") will be managed by the Applicant with strict policies in place that are enforced with every guest, as discussed in more detail below:

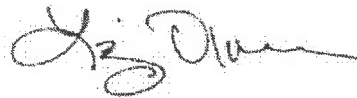
- There will be allocated parking areas for the units. Each guest will have one designated parking spot and each unit will be restricted to two (2) vehicles. The current parking available in the development provides ample parking availability. Moreover, it is expected that the majority of units will be utilized by guests taking Lyft/Uber. All guests utilizing rideshare companies must meet their drives outside the community gates.
- Guests for the units will not be permitted to utilize the existing pool or clubhouse or any amenities and will not be provided key cars to access those areas.
- Existing residents of the development will be personally notified by the Applicant of the proposed new units and given a contact number to utilize for any issues. Additionally, the Applicant will have a staff member who lives on-site to address any issues after 7pm. Staff will also be on the Property between 9:30am to 6:00pm to monitor guests.
- The units will be managed by the Applicant's company and will not add any extra burden to the existing property management.
- Guests will not be permitted to book last minute or check in after midnight. The goal is to have minimal to no impact to the daily lives of the existing, long-term residents. Detailed check in/check out instructions are sent to the guests on the day of check-in.
- Guest capacity is limited to 4 to 6 people depending on the size of the unit (1, 2 or 3 bedroom).
- Each unit will be installed with NoiseAware, a noise detection service that detects noise above 70 decibels. Cameras will also be installed in all common areas to see guests entering and existing.
- Any guest who violates the noise limitations, guest count or check in policies are immediately removed.

With the growing need for alternative accommodations throughout the Las Vegas Valley due to the overall growth of professional sports teams, concerts and events, the Property is the ideal location for the proposed use. Coupled with the Applicant's outstanding management history of similar projects, the proposed application will bring a needed use to the area while ensuring to be a compatible neighbor.

Thank you in advance for your consideration. Please do not hesitate to let us know if you have any questions or concerns or if any further information or documentation needs to be provided. We look forward to discussing in more detail as we move forward with the submittal.

Sincerely,

KAEMPFER CROWELL



Elisabeth Olson

09/06/22 PC AGENDA SHEET

RETAIL CENTER/DAYCARE  
(TITLE 30)

BLUE DIAMOND RD/EDMOND ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0402-AFFILIATE INVESTMENTS, LLC:

USE PERMITS for the following: 1) convenience store; and 2) reduce the separation from a convenience store to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow access to a local street; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) modifications to an approved shopping center; and 2) alternative parking lot landscaping on 3.4 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/jgh/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-13-801-047

**USE PERMITS:**

1. A convenience store.
2. Reduce the separation from a convenience store to a residential use to 98 feet where a minimum of 200 feet is required per Table 30.44-1 (a 51% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

- Allow access to a local street (Ford Avenue) where not permitted per Table 30.56-2.
- Reduce throat depth for a proposed driveway to 21 feet where previously approved at 23 feet and where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 69.3% reduction from required).

**DESIGN REVIEWS:**

1. A shopping center.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-11 is required.

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 5230 Blue Diamond Rd.
- Site Acreage: 3.4
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 38 maximum
- Square Feet: 25,094
- Parking Required/Provided: 126/127

#### Site Plan

The site was previously approved as a 26,794 square foot shopping center consisting of 3 buildings and a pad site with access from Blue Diamond Road and Edmond Street and no access to Ford Avenue. Due to concerns from the Nevada Department of Transportation, the access from Blue Diamond Road was moved farther west, and the access from Edmond Street was removed and access from Ford Avenue has been added. The proposed shopping center consists of 5 buildings and structures which include a daycare facility, an in-line retail building, a standalone commercial/retail building, a convenience store, and a canopy over fuel pump islands for a gasoline station. The prior approval for the shopping center included an automobile maintenance facility which is no longer part of the project and is being replaced with the convenience store and gasoline station. The daycare building is located on the northwest portion of the site and will have a 5,800 square foot outdoor play area directly west of the building. The in-line retail and standalone buildings are located along the west property line, south of the daycare facility. The convenience store and gasoline station are located on the eastern portion of the property. Parking is located adjacent to the buildings, between the in-line retail building and standalone buildings, and the gasoline station. The reduced separation for the convenience store to a residential use is to an undeveloped parcel to the north across Ford Avenue that is designated as Residential Suburban in the Enterprise Land Use Plan.

#### Landscaping

The site is bounded by 3 rights-of-way with Ford Avenue to the north, Edmond Street to the east, and Blue Diamond Road to the south. Along Blue Diamond Road, the plans depict a 10 foot wide landscape area which was previously approved with UC-0553-16. Between the subject property line and an existing attached sidewalk is an additional 25 feet of Nevada Department of Transportation right-of-way (no trees will be planted in this area since, there is an existing utility power easement along the south property line). Along Edmond Street, the plans depict an 11 foot wide landscape area with an attached sidewalk. The landscaping along Edmond Street will consist of trees, shrubs, and groundcover. Along Ford Avenue, the plans depict a 20 foot wide landscape area with an attached sidewalk. Along portions of the west property line the plans depict a 3 foot wide landscape area with shrubs and groundcover. The applicant is requesting an alternative to the required parking lot landscaping design. The proposed plan does not depict landscape islands and landscaped fingers within the parking areas as required by Figure 30.64-14; however, the required amounts of plant material for the parking area is equitably distributed throughout the site.

Elevations

The plans depict 1 story buildings at a maximum height of 38 feet. The rooflines are a combination of pitched roof and parapet walls with variations in height between 18 feet and 37 feet. The major portions of the buildings are shown at a height of 28 feet. The exterior of the buildings has a stucco finish with an aluminum storefront window system, and accent metal canopies. The canopy over the fuel pump islands for the gasoline station is 21 feet in height and covers an area of approximately 5,080 square feet.

Floor Plans

The shopping center has a total area of 25,094 square feet. The buildings will be between 4,300 square feet (standalone building) and 10,000 square feet (daycare) in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the previously approved project was allowed to expire while improvement plans and permits were in the process. Therefore, the applicant is resubmitting this application.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-20-0007	Convenience store with reduced separation from residential use	Approved by BCC	February 2020
WS-19-0097	Allowed modified driveway design standards	Approved by BCC	April 2019
WC-19-400016 (UC-18-0437)	Waived conditions requiring landscaping per plans on file and retail kiosks	Approved by BCC	April 2019
ET-19-400017 (UC-0553-16)	Second extension of time for a retail center, convenience store, and reduced setbacks to residential	Approved by BCC	April 2019
ET-19-400018 (VS-0552-16)	Extension of time to vacate easements located between Blue Diamond Road and Mohawk Street and Edmond Street	Approved by BCC	April 2019
ET-19-400019 (UC-18-0437)	Extension of time for daycare facility and restaurant	Approved by BCC	April 2019
TM-18-500231	Commercial subdivision on 3.4 acres	Approved by BCC	February 2019
ET-18-400214 (VS-0552-16)	Extension of time to vacate easements located between Blue Diamond Road and Ford Avenue	Approved by BCC	November 2018
ET-18-400215 (UC-0553-16)	First extension of time to allow a retail center, convenience store, and to reduce separation from residential	Approved by BCC	November 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0437	Daycare facility and restaurant - expired	Approved by BCC	July 2018
UC-0553-16	Retail and auto center with various reductions of separation requirements to a residential use; waivers for landscaping and non-standard driveway and waiver of conditions from 2 zone changes	Approved by BCC	September 2016
VS-0552-16	Vacated and abandoned patent easements	Approved by BCC	September 2016
VS-0453-10	Vacated and abandoned patent easements - expired	Approved by PC	November 2010
UC-0973-08	Automobile and retail center in an M-D zone; various reductions of separations requirements to a residential use; and allow overhead doors to face a public street; waivers for landscaping and non-standard driveways; and waiver of conditions from 2 zone changes - expired	Approved by BCC	December 2008
ZC-0269-05	Reclassified a portion of this site to M-D zoning for future development.	Approved by BCC	April 2005
ZC-1584-98	Reclassified 91 acres to M-D zoning for a large retail and office/warehouse complex which included a portion of this site	Approved by BCC	November 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped
South	Neighborhood Commercial	R-2	Undeveloped & medical office building
East	Residential Suburban (up to 8 du/ac)	M-D	Undeveloped approved retail & commercial building
West	Business Employment	M-D	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permits

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Comprehensive 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.

This portion of the Blue Diamond Road corridor is in transition with approved and existing projects with a similar intensity of uses. Directly to the east is a retail building, and farther east is an existing shopping center. To the west is an undeveloped M-D zoned parcel, and farther west is an existing restaurant/tavern site and retail plant nursery. This site is located at the southwest corner of Ford Avenue and Edmond Street. The land use plan designates all 4 corners of this intersection as Residential Suburban (up to 8 du/ac). This site has been reclassified to an M-D zone, the southeast corner has developed with a commercial building in an M-D zone, and the northeast corner has been reclassified to a C-P zone. The northwest corner is undeveloped and currently zoned H-2. It is unlikely at this time that the parcel at the northwest corner of this intersection would develop prior to the subject site. It is also possible that the northwest corner of this intersection could be developed with a commercial use, given the trend for non-residential development for the other corners of this intersection. Therefore, staff finds the use permits for the convenience store are appropriate and consistent with the developing and planned uses along this corridor. Staff finds the proposed request follows Land Use Goal 9 of the Master Plan which encourages providing for commercial development that is integrated in appropriate locations throughout the community.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The previously approved design for the site depicted access to the property from Blue Diamond Road and Edmond Street. Blue Diamond Road is a State right-of-way and the applicant indicates that the Nevada Department of Transportation (NDOT) required the driveway on Blue Diamond Road be moved farther to the west, and that the driveway on Edmond Street be removed due to impacts the driveway would have on the Edmond Street and Blue Diamond Road intersection. This required a redesign of the site and a driveway from Ford Avenue was added to improve access to the site. Farther to the west there are existing office warehouse facilities that have access to Ford Avenue. To the east of this site is an existing commercial building with access from Edmond Street, another local street. Since there are other nonresidential developments in the area that have access from local streets, and since the driveway from Edmond Street was removed because of NDOT concerns; staff can support allowing access to the site from Ford Avenue.

#### Design Reviews

Staff finds this request is compliant with the Enterprise Land Use Plan and goals and policies within the Master Plan. Furthermore, the uses requested and the design of the project are compatible with the existing and proposed zoning and development in the area. The parking lot

landscaping proposed by the applicant is consistent with landscaping provided within parking lots of other commercial developments located along Blue Diamond Road; therefore, staff supports the design reviews.

**Public Works - Development Review**

Waiver of Development Standards #2

Staff has no objection to the reduced throat depth since the addition of the exclusive right turn lane along Blue Diamond Road should act as an extension of the throat depth, further mitigating potential impacts from the reduction.

**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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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**

- Comply with approved drainage study PW19-14936;
- Full off-site improvements.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0005-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: AFFILIATE INVESTMENTS LLC**  
**CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON ST, LAS VEGAS, NV 89102**

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 <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-22-0402</u> DATE FILED: <u>7/11/22</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8/10/22</u> PC MEETING DATE: <u>9/6/22</u> <u>6pm</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Affiliate Investments LLC</u> ADDRESS: <u>6345 Balboa Blvd #210</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91316</u> TELEPHONE: <u>818-459-1818</u> CELL: <u>213-494-4900</u> E-MAIL: <u>may@corewellpartners.com</u>
	<b>APPLICANT</b>  NAME: <u>Affiliate Investments LLC</u> ADDRESS: <u>6345 Balboa Blvd #210</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91316</u> TELEPHONE: <u>818-459-1818</u> CELL: <u>213-494-4900</u> E-MAIL: <u>may@corewellpartners.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Baughman &amp; Turner, Inc</u> ADDRESS: <u>1210 Hinson St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-870-8771</u> CELL: <u>702-870-8772</u> E-MAIL: <u>joshh@baughman-turner.com</u> REF CONTACT ID #: <u>137071</u>

ASSESSOR'S PARCEL NUMBER(S): 176-13-801-047

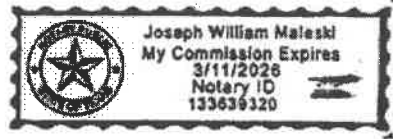
PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond/Edmond

PROJECT DESCRIPTION: Special Use Permits for retail center AND DAYCARE

(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]      Aaron Yashouafar  
Property Owner (Signature)\*      Property Owner (Print)

STATE OF IL  
COUNTY OF Dallas  
SUBSCRIBED AND SWORN BEFORE ME ON 6-9-2022 (DATE)  
By \_\_\_\_\_  
NOTARY PUBLIC: Joseph Maleski



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

UC-22-0402

**Baughman & Turner, Inc.**

*Consulting Engineers & Land Surveyors*

1210 Hinson Street  
Las Vegas, Nevada 89102-1604

Phone (702) 870-8771  
Fax (702) 878-2695

June 23, 2022

**Clark County Current Planning**  
500 S Grand Central Parkway  
Las Vegas, Nevada 89155

**PLANNER  
COPY**

**Re: The Commons at Blue Diamond  
Justification for Use Permit  
APN 176-13-801-047**

To Whom It May Concern,

Please let this letter serve as justification for a use permit for a previously approved daycare center and retail pads in a M-D zone. The 10,000 sq ft daycare center and retail pads were originally approved per UC-18-0437 (ET-19-400019). The use was errantly allowed to expire while improvement plans, and permits were in the process.

The site (APN 176-13-801-047) is located at the Northwest corner of Blue Diamond Rd and Edmond St. The property is surrounded by existing M-D zoned property to the east and west, vacant R-2 parcels to the north, and fronts onto Blue Diamond Rd – a fully constructed 150 rights-of-way. Blue Diamond is designed to handle higher volumes of traffic and therefore not be impacted be additional commercial traffic within the corridor.

The approval of this request will not have a negative effect on the neighborhood or surrounding areas. The location and surrounding uses of the property make it ideal for commercial use.

Should you have any questions or concerns, please feel free to contact me at this office.

Sincerely,  
*Baughman & Turner, Inc.*



David Turner  
President

09/06/22 PC AGENDA SHEET

SUPPER CLUB  
(TITLE 30)

RAINBOW BLVD/RICHMAR AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0417-K & J'S EXCELLENT ADVENTURE, LLC:**

**USE PERMITS** for the following: 1) outdoor dining and drinking; and 2) on-premises consumption of alcohol (supper club & service bar)

**DESIGN REVIEW** for outside dining and seating areas in conjunction with proposed restaurants within a shopping center on 3.7 acres in a C-1 (local business) Zone.

Generally located on the west side of Rainbow Boulevard and the north side of Richmar Avenue within Enterprise. JJ/jgh/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-22-712-001

**USE PERMITS:**

1. Allow a 77 foot separation from residential use to outside dining where 200 feet is required per Table 30.44-1 (a 62% reduction).
2.
  - a. Allow on-premises consumption of alcohol (service bar) in a C-1 zone per Table 30.44-1.
  - b. Allow a 77 foot separation from a residential use to a supper club where 200 feet is required per Table 30.44-1 (a 62% reduction).

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9435 S. Rainbow Boulevard
- Site Acreage: 3.7
- Project Type: Supper Club
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 29,000
- Parking Required/Provided: 145/157

### Site Plans

The plans submitted with this request depict a proposed shopping center consisting of an in-line retail building, tenant spaces, and 1 retail pad site building. The pad site building is located near the northern portion of the site, and the in-line retail building with tenant space is located near the southern portion of the site. The shopping center is currently under construction and consists of 2 buildings that are centrally located on the site. Both buildings will have restaurant tenants. The southern building will contain a service bar. The tenant in the northern building is requesting a supper club that is approximately 77 feet from residential uses. The outside dining areas are proposed along the east and north sides of the buildings and are set back 77 feet from residential. Parking is generously distributed throughout the site with most of the parking spaces shown to the east, west, and north perimeters of the site. There is 1 access point shown along Richmar Avenue and 2 access points shown along Rainbow Boulevard.

### Landscaping

landscaping is interior to the site and is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover. There is a 20 foot landscape buffer along the west property line near residential.

### Elevations

The buildings are 1 story, up to 25 feet high, and similar in design consisting of colored plaster/stucco, decorative edge trim and planters, emergency exit delivery doors, and aluminum storefront window systems. The buildings range in height from 23 feet with the highest point being 25 feet to the top of the parapet walls.

### Floor Plans

The plans depict a total building area of 29,000 square feet. The in-line retail building will have an area of 11,766 square feet, the tenant space for the restaurant with service bar will have an area of 10,080 square feet, and the retail pad site for restaurant with supper club will have an area of 7,334 square feet. The supper club floor plan indicates restroom, seating areas, and a bar. The service bar will have a similar layout, including an office, kitchen, and walk in freezer.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting a special use permit for on-premises consumption of alcohol and a restaurant (supper club & service bar). In addition, this request also includes outside dining areas that require this application to be compliant with Title 30. Three restaurant tenants are proposing outside dining areas along the east and north sides of the building. The shopping center is currently under construction and consists of 2 buildings that are centrally located to the site. Both buildings will have restaurant tenants. One of the tenants in the northern building is requesting a supper club.



**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-20-0521	Reclassified 3.5 acres from R-E to C-1 zoning	Approved by BCC	January 2021
TM-20-500183	Commercial subdivision on 3.5 acres in a C-1 zone	Approved by BCC	January 2021
ET-20-400090 (VS-17-1084)	Extension of time to vacate a portion of right-of-way being Rainbow Boulevard between Meranto Avenue and Richmar Avenue	Approved by BCC	October 2020
VS-17-1084	Vacated a portion of right-of-way being Rainbow Boulevard between Meranto Avenue and Richmar Avenue	Approved by BCC	April 2018
ZC-17-1007	Reclassified this site to C-1 zoning with waivers for modified off-site improvements - expunged	Approved by BCC	April 2018
WS-04-2173	Allowed alternative landscaping in conjunction with the Mountain's Edge Master Planned Community	Approved by PC	February 2005
MP-1009-02	Specific Plan for Mountain's Edge	Approved by BCC	August 2002
MP-0420-02	Concept Plan for Mountain's Edge	Approved by BCC	July 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Retail center
South	Neighborhood Commercial	C-1	Mini-warehouse facility
East	Business Employment	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Developed & undeveloped single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Current Planning**  
Use Permits

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

The proposed use is in harmony with the purpose, goals, objectives, and standards of the planned land use and Title 30 when considering the outdoor dining area and proposed supper club. In addition, this project will not impose undue burden on the surrounding residential uses to the

west. There is a 20 foot, intense landscape buffer along the west property line, which provides more than the required amount of landscaping; therefore, staff can support this request.

**Design Review**

Staff finds the design of the project complies with Title 30 standards and the policies in the Master Plan, and since staff is in support of the use permits, staff can also support the design review.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

**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 #0045-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: K & J'S EXCELLENT ADVENTURE, LLC**  
**CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012**

DRAFT





# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-22-0417</u> DATE FILED: <u>7/13/2022</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8/10/22</u> PC MEETING DATE: <u>9/6/2022</u> <u>6PM</u> BCC MEETING DATE: _____ FEE: <u>\$1,700</u>
	<b>PROPERTY OWNER</b>  NAME: <u>K &amp; J's Excellent Adventure, LLC</u> ADDRESS: <u>985 White Drive #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>gr@dapperdevelopment.com</u>
	<b>APPLICANT</b>  NAME: <u>K &amp; J's Excellent Adventure, LLC</u> ADDRESS: <u>985 White Drive #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>g@dapperdevelopment.com</u> REF CONTACT ID #: <u>N/A</u>
<b>CORRESPONDENT</b>  NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Bella Isla Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>djordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-22-712-001

PROPERTY ADDRESS and/or CROSS STREETS: NWC Rainbow Boulevard and Richmar Avenue

PROJECT DESCRIPTION: Supper club, service bars, and outside dining in conjunction with restaurants within a shopping center

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


[Signature]  
Property Owner (Signature)\*

J Dapper  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 13, 2022 (DATE)

By J Dapper  
NOTARY PUBLIC: Joy M. Clowes



JOY M. CLOWES  
NOTARY PUBLIC  
STATE OF NEVADA  
My Commission Expires: 07-11-23  
Certificate No: 15-2184-1

\*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.

W-22-0417

April 22, 2022

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

**PLANNER  
COPY**

**RE: Special Use Permit and Design Review for a supper club, service bars, and outside dining in conjunction with proposed restaurants within a shopping center currently under construction (APN: 176-22-712-001)**

On behalf of K & J's Excellent Adventure, LLC, we are requesting a special use permit for on-premises consumption of alcohol (supper club and service bars) and outside dining areas in conjunction with proposed restaurants within a shopping center that is currently under construction. The subject parcel is 3.7 acres, zoned C-1, and located at the NW corner of Rainbow Boulevard and Richmar Avenue. By way of background, the shopping center was approved with ZC-20-0521.

**Special Use Permit – Service Bars**

The shopping center is currently under construction and consists of two buildings that are centrally located on the site. Both buildings will have restaurant tenants. The southern building will contain the two tenants that would like to add a service bar as an amenity to the restaurants. The service bars will be in full compliance with Title 30 and Business License provisions relating to the incidental sale and service of alcoholic beverages at dining tables or booths in conjunction with meals. The primary function of the two tenants will still be restaurants. Neither of the tenants will be 24 hour operations and will have traditional hours of operation for restaurants.

The proposed request is consistent and compatible with the approved uses within the shopping center, surrounding area, and the Rainbow Boulevard corridor. The primary entrances to both restaurants are oriented towards Rainbow Boulevard. Service bars are commonly located in shopping centers throughout Clark County with no adverse impacts to the immediate area.

Therefore, the proposed uses and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; and b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, and parking.

**Special Use Permit – Supper Club**

One of the tenants in the northern building, which is a breakfast and lunch restaurant, is requesting a supper club. The tenant currently operates a restaurant within another shopping center and has found that a supper club is an amenity to the restaurant.

In addition to the required special use permit for a supper club in a C-1 zone, there is also a minimum separation that is required for a supper club to a residential use. Certain prescribed uses require performance measures to mitigate possible negative impacts of the use. The condition that is requested to be modified reads as follows: ***Must have a minimum separation of 200 feet from any residential use unless separated by a collector or arterial street or buffered from the residential use by a building, or as***

*determined by the Commission or Board with the approval of a special use permit.* The proposed supper club is approximately 77 feet from the nearest residential use to the west where 200 feet is the standard. Therefore, the request is to reduce the required separation distance between a supper club and residential use to 77 feet where 200 feet is the standard. While the proposed use does not meet the standard separation, it is recognized that individual sites may present unique characteristics; the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30.

In this particular instance, the building is oriented so that it faces away from the residential use and faces Rainbow Boulevard. The supper club does not have an entrance and/or main access from the west facing elevation of the building. Access to the supper club is either from the north or east which is away from the residential use. Additionally, the area between the supper club building and the residential use consists of the following: 1) a couple of drive aisles; 2) one row of parking; 3) parking lot landscaping; 4) a 10 foot wide enhanced landscape buffer along the west, adjacent to the residential use, consisting of large evergreen trees; 5) an existing and proposed 10 foot high decorative block wall within the landscape buffer; and 6) proposed hours of operation for the restaurant will be 7:00 a.m. to 2:00 p.m.. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed supper club that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

As with the proposed service bars, the primary function of the tenant will still be a restaurant with the supper club functioning as an ancillary use. The proposed request is consistent and compatible with the approved uses within the shopping center and surrounding area. Supper clubs are commonly located in shopping centers throughout Clark County with no adverse impacts to contiguous properties. In fact, a supper club is no more intense than the existing restaurant which has no impacts on the residential use to the east.

Therefore, the proposed uses and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; and b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, and parking.

### **Special Use Permit – Outside Dining and Seating Areas**

The proposed outside dining and seating areas in conjunction with proposed restaurants are conditional uses in a C-1 zoning district. Based on the attached site plan with corresponding setbacks and separations, the proposed uses comply with prescribed conditions except the minimum separation of 200 feet from a residential use; therefore, a special use is required to modify the listed condition. The request is entirely consistent with the intent of the C-1 zoning district which provides for the development of commercial uses to serve as a convenience to neighborhoods and limited local markets.

Three restaurant tenants are proposing outside dining areas with the majority of the area for all three, proposed along the east side of the buildings which complies with the condition of *buffered from the residential use by a building*. Therefore, the majority of the outside dining areas fully comply with all provisions/conditions for outside dining areas, including the minimum 200 foot separation from the residential use to the west. However, there are two small outside dining areas that wrap around to the north side of the buildings and therefore will intrude into the 200 foot separation and not be buffered by the building. One of the outside dining areas is in conjunction with the breakfast and lunch restaurant

with proposed supper club and therefore will be 77 feet from the west property line which is the residential use. **Therefore, the request is to reduce the required separation distance between an outside dining area/patio and residential use to 77 feet where 200 feet is the standard.** As with the supper club separation, the area between the outside dining area and the residential use consists of the following: **1) a couple of drive aisles; 2) one row of parking; 3) parking lot landscaping; 4) a 10 foot wide enhanced landscape buffer along the west, adjacent to the residential use, consisting of large evergreen trees; 5) an existing and proposed 10 foot high decorative block wall within the landscape buffer; and 6) proposed hours of operation for the restaurant will be 7:00 a.m. to 2:00 p.m..** Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for proposed outside dining areas that are compatible uses that can harmoniously coexist abutting the residential use with minimal impacts.

Finally, most restaurants have found that outside dining areas are absolutely necessary due to the ongoing pandemic. Empirical data has clearly shown that customer preferences are skewed towards outside dining areas versus inside seating.

### Design Reviews

The applicant is requesting a design review for the outside dining and seating areas. The submitted site plan depicts an effective layout of the outside dining areas with no conflicts with parking areas, circulation, and sensitivity to the nearby residential uses to the west. With the exception of the separation from a residential use, all outside dining areas are in full compliance with prescribed conditions/provisions as provided for in Title 30.

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

Thank you for the consideration.

Sincerely,





VEHICLE WASH  
(TITLE 30)

RAINBOW BLVD/MOUNTAINS EDGE PKWY

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0414-ABS MOUNTAINS EDGE ENTERPRISE, LLC:**

**USE PERMIT** to reduce setbacks from a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce height from grade for hanging signs; 2) increase the number of hanging signs; 3) permit wall signs to face a residential development; and 4) permit an animated sign.

**DESIGN REVIEWS** for the following: 1) vehicle (automobile) wash; 2) signage; 3) lighting; and 4) finished grade on 1.9 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the east side of Rainbow Boulevard, 295 feet south of Mountains Edge Parkway within Enterprise. JJ/md/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-26-312-004

**USE PERMIT:**

- 1. a. Reduce the setback from a vehicle (automobile) wash from a residential use (single family to the east) to 53 feet where a minimum of 200 feet is required per Table 30.44-1 (a 73.5% reduction).
- b. Reduce the setback from a vehicle (automobile) wash from a residential use (single family to the south) to 76 feet where a minimum setback of 200 feet is required per Table 30.44-1 (a 62% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

- 1. Reduce height from grade for a hanging sign to 9 feet where a minimum height of 14 feet is required from grade when subject to vehicular traffic per Table 30.72-1 (a 35.8% reduction).
- 2. Increase the number of hanging signs to 3 where a maximum of 1 hanging sign per tenant is permitted per Table 30.72-1 (a 200% increase).
- 3. Permit wall signs to face a residential development (single family) where signs shall not face adjacent residential development unless separated by a street per Table 30.72-1.
- 4. Permit an animated sign (electronic message unit) in conjunction with a monument sign where an electronic message unit is permitted only in conjunction with a freestanding or wall sign per Table 30.72-1.

## **DESIGN REVIEWS:**

1. Vehicle (automobile) wash.
2. Signage.
3. Lighting.
4. Increase finished grade to 41 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 13.9% increase).

## **LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Vehicle (automobile) wash with lighting and signage.
- Number of Stories: 2
- Building Height (feet): 32 (vehicle wash)/12 (vacuum canopies)
- Square Feet: 5,957
- Parking Required/Provided: 71/88

#### History & Request

ZC-0009-06 was approved by the Board of County Commissioners (BCC) in February 2006 to reclassify the project site to M-D zoning for a shopping center with various uses, including a 1,200 square foot vehicle (automobile) wash located at the northeast corner of the site, adjacent to a proposed convenience store. The vehicle wash approved with the zone change request was never constructed. UC-0479-17 was approved by the Planning Commission (PC) in July 2017 for a convenience store, gasoline station, vehicle (automobile) wash, on-premises consumption of alcohol (tavern), and various commercial uses. The convenience store, gasoline station, and vehicle wash approved with the use permit were located at the north portion of the site, adjacent to Mountain's Edge Parkway. The 1,200 square foot vehicle wash was located immediately to the northeast of the convenience store; however, was never constructed. WS-18-0653 was subsequently approved by the PC in October 2018 for revisions to a proposed convenience store with gasoline sales, vehicle (automobile) wash, and tavern in conjunction with an approved shopping center. The convenience store, gasoline station, and vehicle wash approved with the design review were located at the north portion of the site. However, the 1,100 square foot vehicle wash was never constructed. DR-19-0851 was approved by the PC in February 2020 for revisions to a previously approved convenience store, which was constructed on the north portion of the site in conjunction with a gasoline station (fuel canopy). The approved design review did not include a vehicle wash with the entitlement request. The applicant is now proposing to construct a 5,957 square foot vehicle (automobile) wash located at the southeast portion of the project site, adjacent to an existing single family residential development.

#### Site Plans

The plans depict a 4 acre commercial development, located at the southeast corner of Rainbow Boulevard and Mountain's Edge Parkway, consisting of an existing convenience store and

gasoline station (fuel canopy), located on APN 176-26-312-002, and an existing tavern located on APN 176-26-312-003. The convenience store and gasoline station are located at the north portion of the site, adjacent to Mountain's Edge Parkway. The tavern is centrally located within the site, along the west property line of the development adjacent to Rainbow Boulevard. APNs 176-26-312-002 (convenience store and gasoline station) and 176-26-312-003 (tavern) are not a part of this application as no improvements and/or site modifications are proposed for these parcels. The proposed vehicle (automobile) wash is located on a 1.9 acre portion (APN 176-26-312-004) of the overall development, immediately to the southeast of the tavern and 257 feet south of the convenience store. The proposed vehicle wash facility has the following setbacks: 1) 53 feet from the east property line, adjacent to an existing single family residential development; 2) 94 feet from the south property line, adjacent to the existing single family residential development; 3) 393 feet from the north property line, adjacent to Mountain's Edge Parkway; and 4) 145 feet from the west property line along Rainbow Boulevard. Immediately to the west of the vehicle wash building are 2 partially covered rows of vacuum stations, separated by a 30 foot wide vehicle drive aisle. The proposed vacuum station canopies are set back 76 feet and 65 feet from the south and west property lines, respectively. Each vacuum station row contains 10 spaces (20 total), with each space measuring 20 feet in depth and 12 feet in width. The 20 spaces designated for vacuum stations are not counted as part of the overall parking requirement for the proposed development. The vehicle queuing lane, measuring 26 feet in width, begins along the south portion of the vehicle wash facility. The vehicle queuing lane transitions into a 3 lane stacking area, with each lane measuring a minimum of 10 feet in width, along the east side of the facility. Per the site plan, the stacking area can accommodate up to 18 automobiles at any given time. Three covered pay kiosks are located at the end of the stacking area, with a setback of 53 feet from the east property line. The 3 lane stacking area transitions into a single drive aisle measuring 15 feet in width, located north of the building, where automobiles enter the vehicle wash and exit the facility on the south side via a 15 foot wide drive aisle. A trash enclosure is proposed 60 feet away from the northwest corner of the vehicle wash facility. The overall commercial development, including the proposed vehicle wash, requires 71 parking spaces where 88 parking spaces are provided. Two accessible parking spaces are proposed adjacent to the northwest portion of the vehicle wash. An existing 5 foot wide detached sidewalk is located adjacent to Rainbow Boulevard and an existing 5 foot wide attached sidewalk is located along Mountain's Edge Parkway. Access to the project site is granted via existing commercial driveways along Rainbow Boulevard and Mountain's Edge Parkway. A design review to increase finished grade up to a maximum of 41 inches is requested for the project site.

### Landscaping

The plans depict an existing 15 foot wide landscape area, including a 5 foot wide detached sidewalk, located adjacent to Rainbow Boulevard. An existing landscape area, measuring between 9 feet to 19 feet in width, is located behind an attached 5 foot wide sidewalk along Mountain's Edge Parkway. The street landscape areas consist of trees, shrubs, and groundcover. Existing 10 foot to 12 foot wide intense landscape buffers are located along the east and south property lines of the project site, adjacent to the existing single family residential development. An additional landscape area, measuring 37.5 feet in width, is provided along the east property line for a total width of 49.5 feet. An additional landscape area, measuring 15 feet in width, is provided along the south property line for a total width of 27 feet. Twenty-four inch box trees

planted 30 feet on center, in addition to shrubs and groundcover, are planted within these supplemental landscape areas adjacent to the single family residential development. Landscape areas with multiple trees are proposed immediately to the north and south of the vehicle wash facility. Furthermore, a proposed landscape strip measuring a minimum of 7 feet in width containing 24 inch box trees with shrubs and groundcover, are located immediately adjacent to the western most row of vacuum station spaces.

### Elevations

The plans depict a 2 story proposed vehicle (automobile) wash facility with a height ranging between 21 feet to 32 feet, as measured to the top of the parapet wall. The vehicle wash features a decorative standing seam metal roof, decorative metal clad fascia (north and south elevations), an aluminum storefront window system, and stone veneer incorporated into all 4 building elevations. The stacking lane canopy, located along the east, north, and south elevations of the building, measures 14 feet in height and features a decorative standing seam metal roof. The stacking lane canopy will be supported by painted steel columns. All rooftop mounted equipment will be screened from public view and the right-of-way by the parapet walls. The vacuum station canopies measure 12 feet in height consisting of a pre-finished metal standing seam roof and trim with painted steel beams and columns.

### Floor Plans

The plans depict a vehicle wash consisting of 5,957 square feet featuring a carwash tunnel, equipment room, office and restroom facility located on the first floor. A second office and restroom facility are located on the second floor of the building.

### Signage

The plans depict a monument sign measuring 10 feet in height located at the northwest corner of the project site, located along Rainbow Boulevard and 50 feet south of the existing tavern. The monument sign is set back a minimum of 12 feet from the right-of-way and 2 feet from the back of the detached sidewalk. Furthermore, the monument sign is set back 210 feet from the south property line, adjacent to the existing single family residential development. The monument sign measures 61 square feet in area, including 20 square feet of animation (electronic message unit). The animated sign necessitates a waiver of development standards as animated signs are only permitted in conjunction with freestanding or wall signs. A directional sign measuring 7 feet in height, with an area of 12 square feet, is located at the southwest corner of the site adjacent to Rainbow Boulevard. The directional sign is set back a minimum of 12 feet from the right-of-way and 2 feet from the back of the detached sidewalk. Wall signs are depicted on the north, west, and south building elevations. The wall signs (illuminated) depicted on the north and west are oriented towards Mountain's Edge Parkway and Rainbow Boulevard, respectively. Four wall signs (3 are illuminated), in addition to 3 hanging signs, are depicted on the south elevation of the building that is oriented towards a single family residential development. A waiver of development standards is required to permit the 4 wall signs to face the single family residential development. Three hanging signs, each measuring 2.25 square feet, are located below the stacking canopy soffit 9 feet above finished grade, requiring a waiver of development standards. The 3 hanging signs function as illuminated, directional hanging signs for the 3 stacking lanes associated with the vehicle wash.

The following table is a summary of the proposed signage:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Monument	0	61	61	70	0	1	1
Animated (electronic message unit)	0	20	20	-	0	1	1
Directional	0	12	12	12	0	1	1
Wall	0	232	232	474	0	6	6
Hanging	0	6.75	6.75	32	0	3	3
Overall Total	0	331.75	331.75	-	0	12	12

Lighting

The plans depict the type of lighting (freestanding luminaries (light poles), approximate heights of light poles, and a photometric plan demonstrating compliance with the Development Code. The proposed freestanding luminaries (light poles) measure 25 feet in height, from the base of the pole, where a maximum height of 25 feet is permitted by Code. A total of 13 light poles are dispersed throughout the site, with all light fixtures being full cut-off. No light fixtures are proposed on the exterior of the vehicle wash facility and tunnel.

Applicant's Justification

The proposed vehicle wash is an appropriate and compatible use for the site. A carwash was approved by 2 previous applications on the site. First by action on ZC-0009-06, and on the northeastern portion of the site in conjunction with the convenience store and gasoline station per action on UC-0479-17. The approved carwash was not constructed with the existing convenience store and gasoline station. This is a request to re-establish the previously approved use which is an appropriate and compatible use for the site and area. No building lights are provided on the façade of the building/wash tunnel. The photometric plan complies with Code requirements. A total of 7 wall signs are proposed for the use. Three of the signs are located on the north side of the building near the entry into the wash tunnel. Three of the signs are hanging signs located at the pay points for the queuing lanes. One sign is located on the south side at the exit of the wash tunnel. The signs are illuminated channel letters and comply with Code requirements. The sign plan complements the use and the existing signage on the site. The proposed reduction to the residential development to the east is mitigated by the existing intense landscaping along the east property line. This request is a few feet shorter than the previous approval which allowed a 60 foot separation from the east property line. Additionally, to mitigate any impacts to residential development the carwash building/tunnel is located 89.5 feet from the east property line and the vacuums are located west of the building which will mitigate any impact to the residential development. The proposed reduction is mitigated by the existing intense landscaping along the south property line and the additional 17 feet of landscaping provided along the property line. Additionally, to mitigate any impacts the carwash building/tunnel is located 97 feet from the south property line and the vacuums are located 76 feet 7 inches from the south property line buffered with landscape islands to mitigate any impact to the residential use. The 3 hanging signs proposed provide information and direction to customers prior to their approach to the designated lanes for the cashier, and the 2 different pay points located underneath the canopy. The height of the bottom of the canopy is 10 feet; therefore, the use of hanging signs makes the

signs more visible to customer and also prevents vehicles higher than 9 feet from accessing the area and car wash. The 3 hanging signs proposed provide information and direction to customers prior to the approach to the designated lanes to the cashier, and the different 2 pay points located underneath the canopy. Code allows 1 hanging sign up to 32 square feet. Although, 3 signs are proposed each sign is 2.25 square feet resulting in a total square footage of 6.75 square feet which is 21.1% of the 32 square feet allowed for a single hanging sign. This request is minimal and will not impact the site and the adjacent residential development. The size of the monument sign is minimal and is located on a monument sign which is low as compared to a freestanding sign or a wall sign less visible because of its profile. The monument sign is more appropriate for the use and area. Additionally, allowing the EMU on the monument sign instead of a freestanding or wall sign in this area is more appropriate and compatible with the residential uses in the area. The proposed wall (exit) sign is square the design is typical for exit sign with LED illumination with low lumens. The illumination is necessary for visibility to the customers and is a safety sign to prevent a wrong way entry into the wash tunnel. The exit sign is small and located approximately 150 feet from the residential development to the south and will not impact the residences because it is minimal in size but is necessary to as a safety device at the exit for the wash tunnel both during business hours and after business hours. On the south property line, the proposed finished grade of the building will be at the same height as the existing grade of the residences. This increase in the finished grade will not impact the residences because the building and vacuums are more than 76 feet from the south property line. The proposed application is appropriate and compatible with the existing uses in the area and complies with the general goals and policies outlined in the Master Plan to complete the development of an existing commercial site. The use is designed to enhance and complement existing uses on the site.

#### Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0851	Revisions to a previously approved convenience store, lighting, and signage	Approved by PC	February 2020
DR-19-0775	Lighting for a tavern	Approved by PC	November 2019
ET-19-400121 (UC-0479-17)	First extension of time for a shopping center	Approved by PC	November 2019
WS-18-0653	Modifications to the convenience store with gasoline sales, car wash, and tavern within an approved shopping center (waiver of development standards was withdrawn)	Approved by PC	October 2018
WC-18-400195 (UC-0479-17)	Waived the condition of a use permit requiring development per revised plans submitted July 18, 2017	Approved by PC	October 2018
VS-18-0345	Vacated and abandoned easements	Approved by PC	May 2018
TM-18-500056	1 lot commercial subdivision on 5 acres	Approved by PC	May 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0479-17	Shopping center with various uses in M-D zoning (tavern, convenience store, gasoline sales, vehicle wash, personal services, offices, retail, and restaurant), waivers for reduced separation for a convenience store to a residential use, reduced separation for a vehicle wash to a residential use, allowed a vehicle wash bay to face a public street, and allowed modified commercial driveway geometrics	Approved by PC	July 2017
ZC-0009-06	Reclassified the site to M-D zoning for a shopping center with various uses (retail, office, restaurant, and tavern), reduced the separation from a tavern to a residential use, and a car wash bay to face a public street	Approved by BCC	February 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	R-E	Public facilities building for Clark County
South & East	Business Employment	R-2	Single family residential
West	Neighborhood Commercial	C-1	Undeveloped

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Use Permit**

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

**Use Permit & Design Review #1**

Staff cannot support the requests to reduce the separation between the proposed vehicle (automobile) wash and the existing single family residential development located immediately to the east and south of the project site. Goal 3.1 of the Master Plan states the following: "Maintain air quality at a level that protects public health and improves visual clarity." Staff is concerned the 3 lanes utilized for automobile stacking, immediately adjacent to the east side of the vehicle wash, and 53 feet away from the single family residential development to the east, may

potentially reduce the level of air quality within the immediate area through exhaust emissions by idling vehicles. Idling vehicles within the stacking area may also potentially increase noise pollution within the immediate area, negatively affecting the surrounding single family residential development. The previously approved vehicle wash facilities measured between 1,100 square feet and 1,200 square feet in area. The proposed facility is more intense, with an increased area of 4,757 square feet, or 496% greater than the previous approval. Staff finds the area and intensity of the proposed vehicle wash facility is not consistent with the previously approved vehicle wash facilities, nor is the facility compatible with the adjacent single family residential development. Therefore, staff recommends denial of the reduced separation requests and the design review.

#### Waivers of Development Standards

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

#### Waivers of Development Standards #1 through #4 & Design Review #2

The intent of requiring a minimum above-grade height of 14 feet for hanging signs is to ensure adequate overhead clearance is provided for vehicles traveling below the signs. Code limits the number of hanging signs to prevent an abundance of hanging signs within a single development. The intent of not permitting wall signs to face towards a residential development is to ensure the signs, in addition to any illumination, will not have an adverse or negative impact on the single family residences. Staff finds sufficient justification has not been provided to permit the animated sign. Furthermore, the animated portion of the monument sign is not compatible with the single family residential development to the east and south. Staff finds the requested waivers of development standards associated with the design review are a self-imposed hardship; therefore, recommends denial.

#### Design Review #3

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the adjacent single family residential development to the east and south. The photometric calculations submitted for the lighting indicate the on-site lighting should not have a negative impact on the surrounding development. However, since staff is not supporting the use permits, waivers of development standards, and the design reviews, staff cannot support this request.

#### Public Works - Development Review

##### Design Review #4

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

**Current Planning**

If approved:

- 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 installation and use of cooling systems that consumptively uses 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)**

- 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 #0274-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

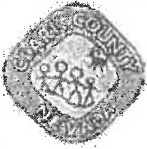
**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ELI APPLEBAUM

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

DRAFT



# LAND USE APPLICATION

# 7A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-22-0414</u> DATE FILED: <u>7/13/22</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8/10/22</u> PC MEETING DATE: <u>-</u> <u>6:00 P.M.</u> BCC MEETING DATE: <u>9/7/22 @ 9:00 A.M.</u> FEE: <u>\$1,825.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>ABS Mountains Edge Enterprise, LLC</u> ADDRESS: <u>1633 Broadway</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10019</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	<b>APPLICANT</b>  NAME: <u>Alan Perlmutter/Eli Applebaum</u> ADDRESS: <u>6855 West Sahara Ave, B20-113</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-528-2301</u> CELL: <u>N/A</u> E-MAIL: <u>realestatedeveloper1@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
	<b>CORRESPONDENT</b>  NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 176-26-312-004

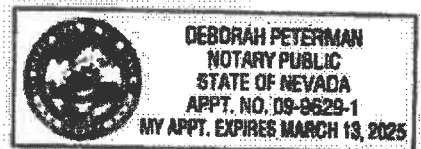
PROPERTY ADDRESS and/or CROSS STREETS: Rainbow & Mountain's Edge

PROJECT DESCRIPTION: Proposed Vehicle/Car Wash

(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.

Eli Applebaum      Eli Applebaum  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN before me on 2/16/2022 (DATE)  
 By Deborah Peterman  
 NOTARY PUBLIC: Deborah Peterman



\*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.

## Mark Donohue

---

**From:** Mark Donohue  
**Sent:** Wednesday, July 13, 2022 9:47 AM  
**To:** Lebene Ohene  
**Cc:** Cassandra Worrell  
**Subject:** RE: Fees invoiced for UC-22-0414 (Vehicle Wash)

**Importance:** High

Hi Lebene

Good morning. Please be advised the fees have now been invoiced for UC-22-0414 in the amount of \$1,825.

**The fees must be paid no later than 4:00 p.m. today, Wednesday, July 13<sup>th</sup>.** Furthermore, below please find the public hearing dates associated with the proposed development:

- Wednesday, August 10<sup>th</sup>, 2022 6:00 p.m. – Enterprise Town Advisory Board, Windmill Library, 7060 W. Windmill Ln., Las Vegas, Nevada 89113
- Wednesday, September 7<sup>th</sup>, 2022 9:00 a.m. – Board of County Commissioners, 1<sup>st</sup> floor, Commission Chambers, 500 S. Grand Central Parkway, Las Vegas, NV 89155

Please bring one (1) copy of the following documents to all three meetings for presentation purposes:

- 24-inch by 36-inch copies of the Site Plan;
- 24-inch by 36-inch copies of the Floor Plan;
- 24-inch by 36-inch copies of the Elevations;
- 24-inch by 36-inch copies of the Landscape Plan;
- 24-inch by 36-inch copies of the Cross-Sections (existing versus finished grade for the development);
- 24-inch by 36-inch copies of the Photometric Plan; and
- 24-inch by 36-inch copies of the Sign Plans.

Please do not hesitate to contact me should you have any additional questions.

Mark

Mark N. Donohue  
Principal Planner, Clark County  
Department of Comprehensive Planning  
T: 702.455.5673  
[mtonohue@ClarkCountyNV.gov](mailto:mtonohue@ClarkCountyNV.gov)

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***Help Shape Clark County's Future!***  
Participate now in the Development Code Rewrite  
[www.transformclarkcounty.com](http://www.transformclarkcounty.com)

LAW OFFICE

*Brown, Brown & Premsrirut*

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

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

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

July 8, 2022

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

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**RE: Justification Letter – Revision 2  
Special Use Permits; Waivers of Development Standards; and Design  
Reviews for a proposed Vehicle (Car) Wash with a Lighting Plan; Sign  
Plan including Hanging Signs; and an Increase the Finished Grade for  
the building and Structures.  
Assessors' Parcel Number: 176-26-312-004**

**To Whom It May Concern:**

On behalf of our Client, ABS Mountains Edge Enterprise, LLC, we respectfully submit this application package for a proposed Vehicle (Car) Wash with Lighting and Signage Plans within a portion of an existing commercial center. The proposed project is located on a parcel within the center and is on the southeast portion of the commercial center which is located on southeastern corner of Rainbow Boulevard and Mountains Edge Parkway. The project is on a 1.82 acre parcel of the commercial center which is a total of 4.0 acres and is zoned M-D. The center currently developed with a convenience store with a gasoline station and a tavern (Village Pub). This request will complete the development of the commercial center. The proposed hours of operation is daily from 7:am to 7:00 p.m.

**Project Description:**

The proposed Vehicle (Car) Wash is a total of 5,957 square feet and is located on the southeastern portion of the existing commercial center on a 1.82 acre site. The carwash as defined is located 53 feet 2 inches from the east property line with the building/tunnel located 86 feet from the east

property line. The carwash building/tunnel is oriented north and south along the east side of the parcel. The queuing lane for the carwash is from the south property line starting with one lane which splits into three lanes along the east side of the building. A pay station (covered structure) is located on the northern portion of the queuing lanes. After the pay station one car at a time is allowed into the wash tunnel in a north south direction. The cars exit the wash tunnel to the south and have an option to exit and use the vacuums on the west side of the building/tunnel. Twenty (20) vacuum spaces are provided and are located the west side of the building. Access to the site is from three (3) existing driveways to the site, two from Rainbow Boulevard on the west property line and one from the driveway located on Mountains Edge Parkway on the north property line. The car wash is setback 53 feet and 2 inches from the east property line and 27 feet from the south property line and is approximately 185 feet from the residential development to the southwest across Rainbow Boulevard. A total of 81 parking spaces is provided for the entire site where a total of 71 spaces are required. An existing trash enclosure is located on the northeastern portion of the proposed site adjacent to the existing Tavern. The throat depths provided are per the original design of the site.

**Landscaping:**

The landscaping along Rainbow Boulevard and Mountains Edge Parkway are existing and conforms to Code and consists of a fifteen (15) landscaping area with a (5) foot wide sidewalk an additional five (5) foot wide of landscaping. Intensive landscape buffers exist along the east and south property lines and was provided with the initial development of the site and complies with Code requirements. An additional 39 foot wide landscape area is provided along the east property line to screen and buffer the residences. An additional 17 foot wide landscaping area is provided along the south property line to screen and buffer the residences.

**Elevation:**

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The overall height of the proposed vehicle (car) wash is 32 feet to the top of the parapet. The design of the façade for the subject Vehicle (Car) Wash consists of metal siding with soffit, a metal standing seam roofing for both the building and pay point structure. Stone veneer accents are depicted on the sides and bottoms of the building and columns with painted steel columns for the pay point structure. The colors are complementary to enhance the building and structure and match the color scheme of the existing buildings in the center.

**Conditional Use:**

Allow a Vehicle (Car) Wash in an M-D zone.

**Justification:**

The proposed Vehicle Wash is an appropriate and compatible use for the site. A carwash was approved by two previous applications on the site. First by action on ZC-0009-06, and on the northeastern portion of the site in conjunction with the convenience store and gasoline per action on UC-0479-17. The approved carwash was not constructed with the existing the convenience store and gasoline station. This is a request to reestablish the previously approved use and is an appropriate and compatible use for the site.

**Special Use Permits:**

2a) Reduce the separation of the car wash from a residential development on the east property line to 53 feet where a 200 foot separation is required.

**Justification:**

The proposed reduction is mitigated by the existing intense landscaping along the east property line. This request is a few feet shorter than the previous approval which allowed a 60 foot separation from the east property line. Additionally, to mitigate any impacts to residential development the carwash building/tunnel is located 89 feet 6 inches from

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the east property line and the vacuums are located west of the building which will mitigate any impact to the residential development.

2b) Reduce the separation of the car wash from a residential development the south property line to 76 feet where a 200 foot separation is required.

**Justification:**

The proposed reduction is mitigated by the existing intense landscaping along the south property line and the additional 17 feet of landscaping provided along the property line. Additionally, to mitigate any impacts the carwash building/tunnel is located 97 feet from the south property line and the vacuums are located 76 feet 7 inches from the south property line buffered with landscape islands to mitigate any impact to the residential use.

**Waivers of Development Standards:**

- 1) Reduce the height from grade for hanging signs to 9 feet where 14 feet is required if subjected to vehicular traffic.**

**Justification:**

The three (3) hanging signs proposed provide information and direction to customers prior to their approach to the designated lanes for the cashier, and the two different pay points located underneath the canopy. The height of the bottom of the canopy is 10 feet, therefore, the use of hanging signs makes the signs more visible to customer and also prevent vehicles higher than 9 feet from accessing the area and car wash.

- 2) Permit illuminated hanging signs to face a residential development where not permitted.**

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**Justification:**

The proposed hanging signs are 2.25 square feet each and the design is in the form of a down arrow with LED illumination with low lumens. The illumination is necessary to make the signs (arrows) visible to the customers to access the correct lanes. The illuminated signs are located approximately 225 feet from the residential development to the south and will not impact the residences because they are minimal. Additionally, the signs will be on timers and will shut off when the car wash is closed.

- 3) Permit three (3) hanging signs for the car wash tenant where only one (1) hanging is allowed per tenant.**

**Justification:**

The three (3) hanging signs proposed provide information and direction to customers prior to the approach to the designated lanes to the cashier, and the different two pay points located underneath the canopy. Code allows one hanging sign up to 32 square feet. Although, three (signs) are proposed each sign is 2.25 square feet resulting in a total square footage of 6.75 square feet which is 21.1 % of the 32 square feet allowed for a single hanging sign. This request is minimal and will not impact the site and the adjacent residential development.

- 4) Permit an animated sign (electronic message unit) sign (emu) on a monument sign where only permitted on a freestanding or wall sign.**

**Justification:**

The size of the monument sign is minimal and is located on a monument sign which is low as compared to a freestanding sign or a wall sign less visible because of its profile. The monument sign is more appropriate for the use and area. Additionally, allowing the EMU on the monument sign

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instead of a freestanding or wall sign in this area is more appropriate and compatible with the residential uses in the area.

**5) Permit a wall (exit sign) to face a residential development where not permitted.**

**Justification:**

The proposed wall (exit) sign is square the design is typical for exit sign with LED illumination with low lumens. The illumination is necessary to visible to the customers and is a safety sign to prevent a wrong way entry into the wash tunnel. The exit sign is small and located approximately 150 feet from the residential development to the south and will not impact the residences because it is minimal in size but is necessary to as a safety devise at the exit for the wash tunnel both during and business and after business hours.

**Design Reviews:**

**1) A proposed Vehicle Wash in an M-D zone.**

**Justification:**

The proposed Vehicle Wash is an appropriate and compatible use for the site. A carwash was approved by two previous applications on the site. First by action on ZC-0009-06, and on the northeastern portion of the site in conjunction with the convenience store and gasoline per action on UC-0479-17. The approved carwash was not constructed with the existing the convenience store and gasoline station. This is a request to reestablish the previously approved use which is an appropriate and compatible use for the site and area.

**2) A Lighting Plan:**

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The lighting plan is provided and as conditioned by previous approvals on the site and complies with Code requirements. The plan consists of a total of 13,20 foot high poles distributed along the eastern, southern, and western portions of the site. The light fixtures on the poles are shielded as required by Code. No building lights are provided on the façade of the building/wash tunnel. The photometric plan complies with Code requirements.

**3) A Signage Plan:**

The sign plan for the vehicle (car) wash includes the following signs: a 61 square foot monument sign with 20 square feet animated sign (emu); a directional sign is located along Rainbow Boulevard at the southernmost driveway to the site. The sign is set back 20 feet from the west property line. A total of seven wall signs are proposed for the use. Three of the signs are located on the north side of the building near the entry into the wash tunnel. Three of the signs are hanging signs located at the pay points for the queuing lanes. One sign is located on the south side at the exit of the wash tunnel. The signs are illuminated channel letters and comply with Code requirements. Please see the attached sign plan and table for additional information for the sign plan. The sign plan complements the use and the existing signage on the site.

- 4) Increase the finished grade of the building and structure to 41 inches (3 feet 5 inches) where a maximum finished grade of 36 inches (3 feet) is the standard.

**Justification:**

The finished grade proposed is only four inches above the allowed finished grade. The request is necessary to allow the building to drain into Rainbow Boulevard. The increase in the finished grade as depicted will

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not impact the existing residences because a slope is created away from the east property line. The building and structure are more than 40 to 80 feet from the east property line and, therefore, will not impact the residences to the east.

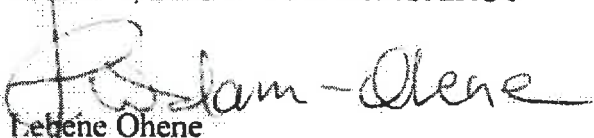
On the south property line, the proposed finished grade of the building will be at the same height as the existing grade of the residences. This increase in the finished grade will not impact the residences because the building and vacuums are more than 76 feet from the south property line.

The proposed application is appropriate and compatible with the existing uses in the area and complies with the general goals and policies outlined in the Comprehensive Plan to complete the development of an existing commercial site. The use is designed to enhance and complement existing uses on the site.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant

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09/07/22 BCC AGENDA SHEET

MULTI-FAMILY RESIDENTIAL  
(TITLE 30)

BLUE DIAMOND RD/I-15

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0420-MAJESTIC NV PPTY HOLDINGS, LLC:

USE PERMIT for a multiple family development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) alternative external building materials; and 3) reduce parking.

DESIGN REVIEWS for the following: 1) multiple family development; and 2) fabric membrane structure (tent) in conjunction with multiple family development on 69.0 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 and AE-65) Zone.

Generally located on the south side of Blue Diamond Road and between I-15 and Valley View Boulevard within Enterprise. JJ/bb/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-17-111-004; 177-17-111-010

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the building height to 70 feet where 50 feet is allowed per Table 30.40-5 (a 40% increase).
2. Allow fabric as a building material for a 6,120 square foot tent where not permitted per Table 30.56-1.
3. Reduce parking to 466 spaces where 490 spaces are required per Table 30.60-1 (an 18% reduction).

**DESIGN REVIEWS:**

1. A 290 unit multiple family development.
2. A 6,120 square foot fabric tent to be used for temporary model rooms.

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8250 Dean Martin Drive
- Site Acreage: 69

- Number of Lots/Units: 290
- Density (du/ac): 50
- Project Type: Multiple family residential
- Number of Stories: 5
- Building Height (feet): 70 (multiple family)/18 (tent)
- Square Feet: 75,000 (multiple family)/6,120 (tent)
- Open Space Required/Provided: 29,000 square feet/72,053 square feet
- Parking Required/Provided: 490/466

### Site Plans

The plans show an existing resort hotel (Silverton), a timeshare hotel tower, a restaurant (Cracker Barrel), and an approved hotel tower (Hyatt Place) located east of Dean Martin Drive. The resort hotel (Silverton) and timeshare hotel tower are located on the northern portion of the site, and the restaurant (Cracker Barrel) and approved hotel tower (Hyatt Place) are located on the southern portion of the site. Additionally, an approved commercial center is located on the northern portion of the site, west of Dean Martin Drive. The site has street frontage along Blue Diamond Road, Dean Martin Drive, Valley View Boulevard, and I-15. The proposed multi-family development is located on the northwest portion of the property in an area that is currently used as a parking lot. All current uses on the Silverton property require 3,090 parking spaces, with 3,695 parking spaces provided. This represents 605 excess parking spaces on the entire property. The multi-family building will require 490 parking spaces with 466 parking spaces proposed. All proposed parking spaces will be located in a parking garage. The multi-family building will have 20 studio units, 181 one-bedroom units, and 89 two-bedroom units for a total of 290 units. A 20 foot wide paved fire lane is provided along the south, west, and north sides of the property, adjacent to the west half of the building. An attached parking garage is located on the north side of the residential building with entrances and exits located at the northeast corner of the property with access to the north and east. The tent is located to the north of the parking garage and includes model hotel rooms.

### Landscaping

The property will have 72,053 square feet of landscaping and open spaces, including recreational areas, rooftop pool (parking garage) and associated amenities. A landscaped area (up to 35 feet deep) is located on the south side of the building. A landscaped area of approximately 20 feet straddles the interior driveway along the west and northeast corner of the property. A landscape area between 10 feet and 40 feet in depth is located on the north side of the building. A courtyard (approximately 280 feet by 345 feet) is located in the center of the building with a wide variety of sitting areas, recreational amenities, and landscaping. The courtyard includes enhanced decorative paving, artificial turf, hammocks, event and fitness turf, bocce ball, fire pit, outdoor kitchen, and barbeque area.

### Elevations

The elevations depict a 5 story art deco style building with modern accents, balconies, vertical columns, horizontal roof awning accents, and multiple offset return walls. The main entrance to the apartments is depicted on the south side of the building with a porte cochere and decorative paving area. A sidewalk extends from the entrance along the south side of the building to the

east and north along the east side of the building. The maximum height of the building will be 70 feet. The tent is 18 feet in height.

Floor Plans

Ten pedestrian entrances, utility access, and emergency exits are located on the east, west, and north sides of the building. The floor plans depict 201 studio and one-bedroom apartments starting at 600 square feet to 1,041 square feet, and 89 two-bedroom apartments from 1,200 square feet to 1,346 square feet. There is collaborative workspaces, lounges, leasing offices, an indoor golf simulator, and fitness area shown on the floor plans. The tent is approximately 6,120 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to construct 290 multi-family apartments at a maximum of 70 feet to be consistent with the other Silverton properties. A waiver for height above 50 feet (R-5 standards) is included in this request. The waiver for temporary model rooms is needed to facilitate final floor plan designs and would replace existing temporary facilities for the Silverton Training Center which will be relocated elsewhere on the property. The proposed multiple family development includes high quality amenities and will be available to the employees of the Silverton and other commercial employees.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0741	Signage including waivers for roof signs and reduced separation of monument signs for a commercial center	Approved by BCC	November 2018
UC-0978-17	Relocate an existing watercraft storage area	Approved by BCC	December 2017
VS-0870-17	Vacated and abandoned a 5 foot wide portion of Valley View Boulevard for detached sidewalks	Approved by PC	December 2017
DR-0715-17	Hotel (Hyatt Place)	Approved by BCC	October 2017
DR-0734-17	A retail building and restaurant with drive-thru within an approved commercial center	Approved by BCC	September 2017
DR-0206-16	Restaurants with drive-thru services and retail buildings within an approved commercial center	Approved by BCC	May 2016
DR-0205-16	Manmade decorative water features	Approved by BCC	May 2016
UC-0827-15	Commercial center	Approved by BCC	January 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0826-15	Allowed a restaurant (Cracker Barrel) without primary access through the interior of the resort hotel with design reviews for a restaurant, a relocated watercraft storage area, and signage	Approved by BCC	January 2016
UC-0016-15	Roof signs and animated signs in conjunction with an existing resort hotel complex (Silverton)	Approved by BCC	April 2015
UC-0643-14	Allowed live entertainment beyond daytime hours for a temporary outdoor commercial event subject to 2 years to commence and review - expired	Approved by BCC	September 2014
UC-0511-13	Use permits and design review to increase building height and allow kitchens in guestrooms for 2 timeshare hotel towers	Approved by BCC	December 2013
UC-0512-13	Use permits and design review for a membrane structure (live entertainment venue), modular restrooms, and an outside storage area for vehicle sales (watercraft)	Approved by BCC	October 2013
TM-0062-09	3 lot commercial subdivision	Approved by BCC	October 2009
ZC-0515-09	Reclassified 0.6 acres from R-E & C-2 to H-1 zoning for an existing resort hotel	Approved by BCC	October 2009
ZC-0380-08	Reclassified a 34.4 acre portion of the subject site from C-2 to H-1 zoning for future expansion of a resort hotel	Approved by BCC	December 2008
UC-0363-07	Parking garage and modifications to an existing resort hotel	Approved by BCC	June 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment & Corridor Mixed-Use	M-D & C-2	Truck stop, gasoline stations, & a fast food restaurant
South	Neighborhood Commercial	C-2, H-2, & R-E	Restaurant/tavern & undeveloped
East	Entertainment Mixed-Use	RVP	I-15 & recreational vehicle park
West	Entertainment Mixed-Use & Public Use	C-2, H-2, & R-E	Shopping center & electrical substation

**STANDARDS FOR APPROVAL:**

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



## **Analysis**

### **Current Planning**

#### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Master Plan Policy 1.5.2 and Enterprise Policy EN-1.1 encourage compatible infill development and standards. The proposed multi-family apartments are compatible with the existing resort, other high density residential, and nearby commercial uses. The proposed residential apartments will not create an undue burden on public facilities and improvements. Master Plan policy 6.1.2 and policy 6.1.4 supports a compact, and balanced mix of uses. This property includes a resort casino, hotels, commercial uses, condominium use, and now apartments.

#### 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. This site has over 600 additional parking spaces beyond those required by code. The additional height proposed for the apartment building is compatible with the surrounding area and the existing development in this area. The temporary use of a fabric structure (tent) for model units, will not be detrimental to the surrounding area.

#### Design Reviews

Master Plan policy 6.1.6 supports infill development and adaptive reuse of vacant or underutilized uses. Development of the parking lot into 290 apartment units is an appropriate reuse and redevelopment of the existing parking lot. The Regional Transportation System of Southern Nevada provides bus service to the Silverton properties through route #217. There is additional parking (over 600 spaces) available on the remainder of the Silverton properties in the nearby area with no or limited restrictions on their use.

#### Department of Aviation

The subject property is located just over two and a half miles southwest of Harry Reid International Airport (LAS) runways, and directly underneath a well-established corridor of aircraft departures and arrivals. As expected, the subject property is exposed to significant single-event aircraft overflight noise, and many aircraft are at very low altitudes above it. The property lies within the AE-60 (60 - 65 DNL) noise contour for LAS 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 Harry Reid International facilities to meet future air traffic demand. The current planned land use designation of EM - Entertainment Mixed Use and the current zoning of H-1 - Limited Resort and Apartment, permit many airport-compatible uses. Although permitted with a special use permit by the zoning

designation, any residential or long-term stay use in this area is a concern to the Department of Aviation (DOA).

In consideration of the above, the DOA has concerns about the rooftop pool, located at the top of the five-story structure, directly underneath a well-established corridor of aircraft over-flights. Bright lights, laser lights, pyrotechnics, drone activity, and firearms are just some of the potential disruptions that could endanger and disrupt aircraft activity.

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- Drainage study and compliance;
- Traffic study and compliance.

#### **Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;

- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Pool access to be limited to residents and guests of residents. Prominently post signage at all pool entrance points, which advise pool patrons that any items and activities that could possibly be a disruption to overhead aircraft activity are strictly prohibited. By entering the pool area, patrons are consenting to a search of their person and belongings for prohibited items. Prohibited items to include, but not limited to: bright lights, laser lights, pyrotechnics, drones, firearms, etc.;
- No special events to be held in the rooftop pool area which would allow for any prohibited items as described above;
- 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. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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 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; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; 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.

**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 #0275-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** MAJESTIC ENTERPRISE HOLDINGS, LLC  
**CONTACT:** RICK LANE, SILVERTON CASINO, 3333 BLUE DIAMOND RD, LAS VEGAS, NV 89139

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 8A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

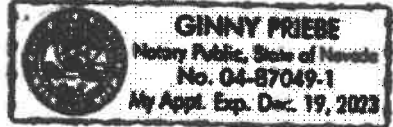
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC/WS/DR-22-0420</u> DATE FILED: <u>7-13-2022</u> PLANNER ASSIGNED: <u>LBB</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8-10-2022</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9-7-2022</u> <u>H-1</u> FEE: _____ <u>AE-65</u> <u>EM</u>
	<b>PROPERTY OWNER</b> NAME: <u>MEH, LLC Majestic Enterprise Holdings, LLC</u> ADDRESS: <u>13191 Crossroads Parkway N. 6th Floor</u> CITY: <u>City of Industry</u> STATE: <u>CA</u> ZIP: <u>91746</u> TELEPHONE: <u>(702) 914-8635</u> CELL: _____ E-MAIL: <u>rick.lane@silvertoncasino.com</u>
	<b>APPLICANT</b> NAME: <u>Rick Lane</u> ADDRESS: <u>3333 Blue Diamond Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>(702) 914-8635</u> CELL: <u>(702) 429-9995</u> E-MAIL: <u>rick.lane@silvertoncasino.com</u> REF CONTACT ID #: <u>184747</u>
	<b>CORRESPONDENT</b> NAME: <u>Greg Borgel</u> ADDRESS: <u>3747 Heritage Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>(702) 791-8219</u> CELL: <u>(702) 235-8889</u> E-MAIL: <u>gborgel@fclaw.com</u> REF CONTACT ID #: <u>172242</u>

ASSESSOR'S PARCEL NUMBER(S): 177-17-111-004 and 177-17-111-010  
 PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin Drive and Silverton Village Drive  
 PROJECT DESCRIPTION: Silverton Multi Family

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

Property Owner (Signature) [Signature] 4/23/22  
 Property Owner (Print) Craig Cavileer

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 02/23/22 (DATE)  
 by Craig Cavileer  
 NOTARY PUBLIC: Ginny Friebe



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

APR-27-100358

# PLANNER COPY

May 26, 2022

Clark Co. Planning  
For electronic submission

Dear Ladies/Gentlemen:

Please accept this as the required justification letter for a special use permit, waivers of development standards, and design review for a five-story, 290-unit multi-family apartment development on a portion of APN-177-17-111-004, associated with the nearby Silverton Hotel:

1. A special use permit for multi-family development is requested, as is allowed in the in the existing H-1 (Limited Resort and Apartment) District, and consistent with the master plan status of EM (Entertainment Mixed Use).
2. Waivers of development standards are requested as follows:
  - A. To allow a height of 69', where 50' is the standard.
  - B. To allow temporary construction of model rooms on the site prior to main project construction and during construction.
3. Design review approval is requested for the modern architecture shown in the separately submitted plans, plus accessory amenities such as rooftop pool and clubroom on the parking garage, fitness area, indoor golf simulator, lounges, collaborative work spaces and leasing offices.

**Justification:** The requested special use permit is believed to be appropriate based on the designation of the H-1 District for "Limited Resort and Apartment" and "Entertainment Mixed Use". The requested height waiver is consistent with other structures already existing on the Silverton property; the 50' standard derives from compliance with the special R-4 standard but is well within the general 100' limit for the H-1 district. The waiver for temporary model rooms is needed to facilitate final floor plan designs, and would replace existing temporary facilities for the Silverton Training Center which will be relocated elsewhere on the property. The design review shows a product and amenities which will be of the highest standard, and particularly desirable for employees of the nearby Silverton Hotel and commercial developments in a market where multi-family uses are very much in demand.

  
Greg Borgel  
Ph: 702-791-8219

09/07/22 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

TENAYA WAY/WIGWAM AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0396-MAGNUS VEGAS, LLC:

**VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Torino Avenue (alignment) and between Monte Cristo Way and Montessouri Street (alignment), and a portion of right-of-way being Tenaya Way located between Wigwam Avenue and Torino Avenue within Enterprise (description on file). JJ/bb/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

176-15-301-031; 176-15-701-011; 176-15-701-031; 176-15-801-043

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop this site as a single family residential development. The request is to vacate easements and right-of-way that the applicant believes are not necessary for development of this area or will support construction of detached sidewalks along Tenaya Way. All required right-of-way and easements will be dedicated with the subdivision of the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-21-500212	94 lot single family residential subdivision to be expunged and replaced	Approved by BCC	March 2022
PA-22-700001	Amendment to the Master Plan for the Clark County Trail Map for the Las Vegas Valley	Adopted by BCC	March 2022
NZC-21-0745	Reclassified the site to an R-D zoning for a single family residential development	Approved by BCC	March 2022
VS-21-0746	Vacated and abandoned easements and rights-of-way	Approved by BCC	March 2022
ZC-1026-05	Established an RNP-I Overlay District for portions of the Enterprise Planning Area which included this site and the surrounding area	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-I) & R-1	Single family residential & undeveloped
South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-22-500141	A tentative map for a 94 lot single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

The proposed vacation of patent easements and right-of-way to accommodate detached sidewalks is compatible with the development of the surrounding land and in harmony with the proposed subdivision development.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

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

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



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

**Public Works - Development Review**

- Drainage study and compliance;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 30 feet for Montessouri Street, 17 feet for Belcastro Street adjacent to APN 176-15-701-006, 30 feet for Belcastro Street south of Cougar Avenue, 30 feet for Cougar Avenue and an elbow at the Cougar Avenue/Belcastro Street intersection, 35 feet to 70 feet to back of curb for Tenaya Way, 30 feet for Ford Avenue west of Tenaya Way, 30 feet for Monte Cristo Way, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- 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)**

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MAGNUS VEGAS, LLC**

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





# 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-22-0396</u>	DATE FILED: <u>7-11-2022</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):			PLANNER ASSIGNED: <u>Bob</u>	TAB/CAC DATE: <u>8-10-2022</u>
			TAB/CAC: <u>Entire</u>	PC MEETING DATE: _____
			BCC MEETING DATE: <u>9-7-2022</u>	FEE: <u>\$875</u>

<b>PROPERTY OWNER</b>	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u>

<b>APPLICANT</b>	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</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>Kaempfer Crowell - Bob Gronauer</u>
	ADDRESS: <u>1980 Festival Plaza Dr. #650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>rjg@kcnvlaw.com</u> REF CONTACT ID #: <u>171509</u>

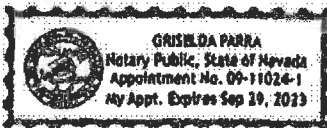
ASSESSOR'S PARCEL NUMBER(S): 176-15-301-013, 031, 044; 176-15-701-006, 011, 031 & 034  
176-15-801-043

PROPERTY ADDRESS and/or CROSS STREETS: Wigwam and Montecristo

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)\* [Signature] Property Owner (Print) Philippe Zyade - CEO

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 04.15.2021 (DATE)  
 By Philippe Zyade  
 NOTARY PUBLIC: [Signature]



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

APR - 22 Page 1062 499



**TANEY ENGINEERING**

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

June 28, 2022

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

**Re: Tenaya & Ford  
Justification Letter (Revised)  
APN: 176-15-701-011, -031, & 176-15-801-043**

To whom it may concern:

On behalf of our client, Magnus Vegas, LLC, Taney Engineering is respectfully submitting justification for Patent Easement Vacations and Rights-of-Way Vacations with our concurrent submittal of a Tentative Map for a residential subdivision.

**Patent Easement Vacation:**

The purpose is to vacate portions of the following patent easements: Patent No. 1180355 and Patent No. 27-2014-0026.

**Right-of-Way Vacation:**

The purpose is to vacate portions of the BLM right-of-way grants No. N-55350/C/ and N-75239, as well as a portion of a fee-owned public right-of-way conveyed to Clark County per 20090306:04315 O.R.

We are requesting portions of these patent easements and rights-of-way be vacated to a maximum width of 35 ft. from the centerline of Tenaya Way, so that a detached sidewalk may be built along the roadway. Full off-site improvements were conditioned along Tenaya Way, so this is being done to comply with this condition.

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

Please let us know if you have any questions or require any additional information.

Respectfully,

Jeremiah Johnson  
Land Planner

09/07/22 BCC AGENDA SHEET

TENAYA & FORD  
(TITLE 30)

TENAYA WAY/WIGWAM AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500141-MAGNUS VEGAS, LLC:**

**TENTATIVE MAP** consisting of 94 single family residential lots and common lots on 37.9 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the east and west sides of Tenaya Way between Wigwam Avenue and Torino Avenue within Enterprise. JJ/al/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-15-301-013; 176-15-301-031; 176-15-301-044; 176-15-701-006; 176-15-701-007; 176-15-701-011; 176-15-701-031; 176-15-701-034; 176-15-801-043

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8515 Cote Road & 8575 S. Tenaya Way
- Site Acreage: 37.9
- Number of Lots: 94 (residential)/2 (common)
- Density (du/ac): 2.5
- Gross Minimum/Maximum Lot Size (square feet): 11,753/24,301
- Net Minimum/Maximum Lot Size (square feet): 10,052/18,603
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 94 residential lots on 37.9 acres with a density of 2.5 dwelling units per acre. The site is bisected by Tenaya Way with the 2 portions of the project being developed as separate neighborhoods. The plans depict 31 lots on the portion of the site west of Tenaya Way and 63 lots on the portion of the site east of Tenaya Way. The entrances to both portions of the development will be from Tenaya Way and the entrances will be gated. The plans show 51,841 square feet of open space which will be used mainly for drainage easements. Access within the interior of the development will be from 38 foot wide private streets. Detached sidewalks are shown on both sides of Tenaya Way. The conditions of approval NZC-21-0745, as well as the proposed vacation of patent easements and right-of-way along Tenaya Way resulted in the need for this updated tentative map. As a result, of the proposed map changes, the new net minimum lot size is 9,000 square feet adjacent to Tenaya Way, previously approved at 10,052 square feet.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-21-500212	94 lot single family residential subdivision to be expunged and replaced	Approved by BCC	March 2022
PA-22-700001	Amendment to the Master Plan for the Clark County Trail Map for the Las Vegas Valley	Adopted by BCC	March 2022
NZC-21-0745	Reclassified the site to an R-D zoning for a single family residential development	Approved by BCC	March 2022
VS-21-0746	Vacated and abandoned easements and rights-of-way	Approved by BCC	March 2022
ZC-1026-05	Established an RNP-I Overlay District for portions of the Enterprise Planning Area which included this site and the surrounding area	Approved by BCC	October 2005

**Surrounding Land Use**

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

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

**Related Applications**

Application Number	Request
VS-22-0396	A vacation of patent easements and a portion of a right-of-way being Tenaya 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**

**Current Planning**

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

**Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- Expunge the previous tentative map TM-21-500212.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements on Wigwam Avenue, Montessouri Street, Cougar Avenue, Tenaya Way, and Belcastro Street (south of Cougar Avenue);
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 30 feet for Montessouri Street, 17 feet for Belcastro Street adjacent to APN 176-15-701-006, 30 feet for Belcastro Street south of Cougar Avenue, 30 feet for Cougar Avenue and an elbow at the Cougar Avenue/Belcastro Street intersection, 35 feet to 70 feet to the back of curb for Tenaya Way, 30 feet for Ford Avenue west of Tenaya Way, 30 feet for Monte Cristo Way, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals, and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

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

**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 #0300-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MAGNUS VEGAS, LLC

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

DRAFT





# TENTATIVE MAP APPLICATION 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500141</u>	DATE FILED: <u>7-11-2022</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>PSB</u>	TABI/CAC DATE: <u>8-10-2022</u>
		TABI/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>                    </u>	
		BCC MEETING DATE: <u>9-7-2022</u>	
		FEE: <u>750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Magnus Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>n/a</u>

<b>APPLICANT</b>	NAME: <u>Magnes Vegas, LLC</u>
	ADDRESS: <u>8912 Spanish Ridge Avenue</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</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>Kaempfer Crowell - Bob Gronauer</u>
	ADDRESS: <u>1980 Festival Plaza Dr. #650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u>
	E-MAIL: <u>rjg@kcnvlaw.com</u> REF CONTACT ID #: <u>171509</u>

ASSESSOR'S PARCEL NUMBER(S): 176-15-301-013, 031, 044; 176-15-701-006, 011, 031, & 034 and 176-15-801-043

PROPERTY ADDRESS and/or CROSS STREETS: near Wigwam and Montecristo

TENTATIVE MAP NAME: Magnus Vegas, LLC

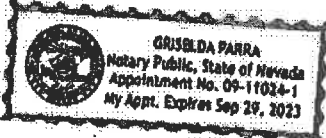
I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 04.15.2021 (DATE)

By Philippe Ziaade  
NOTARY PUBLIC: *[Signature]*



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

APR-22-100499

Page 1 of 2



# TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

May 13, 2021

MLZ-21-017

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

**Re: Tenaya & Ford- Tentative Map**

To Whom it May Concern:

Taney Engineering, on behalf of our client, Magnus Vegas LLC, realizes the tentative map will not be acted within NRS time frames. We respectfully request that the tentative map is submitted concurrently with our other land use application (Vacation).

Thank you for your attention to this request. Please feel free to give us a call should you have any questions.

Sincerely,  
TANEY ENGINEERING

Elisha Scrougm  
Project Coordinator

ATTACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT (TITLE 30)

EDMOND ST/CHARTAN AVE

PUBLIC HEARING APP. NUMBER/OWNER/DESCRIPTION OF REQUEST WS-22-0394-S H S 1, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase the maximum allowed site disturbance area within hillside development; and 2) reduced setbacks. DESIGN REVIEW for a final grading plan for a residential development within a hillside area on 10.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Edmond Street (alignment) and the north and south sides of Chartan Avenue (alignment) within Enterprise. JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN: 176-36-721-001 through 176-36-721-030; 176-36-815-001 through 176-36-815-021

**WAIVERS OF DEVELOPMENT STANDARDS:**

- 1. Increase the maximum site disturbance for hillside areas to 6.0 acres where 3.51 is allowed per Table 30.56-1 (a 71% increase).
- 2. Reduce the corner street setback for Lot #1 to 5 feet where 10 feet is required per Table 30.40-2 (a 50% decrease).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 10.0
- Number of Lots: 50
- Density (du/ac): 5
- Minimum/Maximum Lot Size (square feet): 3,300/4,764
- Project Type: An attached single family residential development
- Number of Stories: 3
- Building Height (feet): 35
- Square Feet: 2,272

- Open Space Provided: 3.2 acres
- Natural Area (Hillside) Provided/Required (acres): 2.4/4.4

### Site Plan

The approved plan depicted a residential development consisting of attached single family residences within a hillside area. The plans included a total of 50 residences with a density of 5 dwelling units per acre. Each residence will be located on its own lot and will share a common wall with one other residence. Each residence will have a 20 foot front yard setback, a 15 foot rear yard setback and the side of the residence that does not share a common wall with another residence will have a 5 foot side yard setback or a 10 foot corner setback, with the exception of lot #1 that is proposed with a 5 foot setback per this request. Lot #1 is located at the back of the subdivision with no pass through traffic. Access to the development will be provided by Chartan Avenue which will terminate in a radius cul-de-sac at the entrance of the development. Gates will be provided at the entrance to the development to control access. The call box for the gates is located 27 feet from the end of the proposed cul-de-sac at the end of Chartan Avenue. Access within the subdivision will be provided by 39 foot wide private streets which do not have sidewalks. The private streets will terminate in stub streets that will provide access to a maximum of 4 lots. The Edmond Street alignment is located along the western boundary of the site and will terminate in a previously approved hammerhead design turnaround at the northwest corner of the site.

This site is located in a hillside area with slopes that exceed 12%. The previous plans indicated that of the 10 acres which make up this site, 2.1 acres have slopes below 12%, 4.9 acres have slopes from 12% to 25%, and 3 acres have slopes that exceed 25%. The previous request reduced the amount of undisturbed area required for this development to 2.4 acres where 4.4 acres is required. The current request is to increase the disturbed hillside area in excess of 12% slope and those exceeding 25% by 1% to a total of 5.64 acres of total disturbance.

### Landscaping

The approved plans depict landscape areas consisting of trees, shrubs and groundcover located along the entrance to the development and along the streets within the development. The approved plan also depicts a recreational area for the residents of the development on the southern portion of the site. The plans for the recreational area depict picnic tables, fire pits, shade structures, a plunge pool and a walking path. The recreational area is located on slopes greater than 12% and does not appear to have been included in the portions of disturbance calculations. Any disturbance to slopes not included in the waiver of development standards will require a subsequent waiver at a later date.

### Elevations

The approved plans depict a 3 story residence with a maximum height of 35 feet. The plans indicate that 2 residences will share a common wall located on a property line. The residences will have a combination of flat roofs behind parapet walls and pitched roofs with concrete tile roofing material. The exterior of the residences will have a stucco finish painted in earth tone colors.

### Floor Plans

Each residence has an area of 2,272 square feet with 3 bedrooms and a 2 car garage.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting a design review of the final grading plans to satisfy the condition attached to ZC-20-0454 and a waiver for any further increase to disturbed areas within the hillside development area. The previous approval was for 3.62 acres disturbed between 12% and 25% slopes, and 1.87 acres disturbed with over 25% slopes, for a total of 5.49 acres. The new total disturbed area will be 5.64 acres. As a result of lot #1 having a detached single family residential home, the required north corner street side setback is 10 feet. The common lot is being removed at this location, and the applicant is asking for a reduced 5 foot street corner setback at lot #1.

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0454	R-E to R-2 zoning, attached single family development, hillside development, off-site improvements, preliminary grading	Approved by BCC	February 2021
VS-20-0453	Vacate patent easements	Approved by BCC	February 2021
TM-20-500154	50 lot subdivision	Approved by BCC	February 2021
TM-0015-15	Tentative map for a 34 lot single family residential development - expired	Approved by PC	March 2015
ZC-0075-14	Approved to reclassify the site to an R-2 zone for a 34 lot single family residential development in a hillside area - expired	Approved by BCC	November 2014
ZC-1469-06	Approved to reclassify the site to an R-2 zone for a 74 lot single family residential development in a hillside area - expired	Approved by BCC	November 2006
TM-0439-06	Tentative Map for a 74 lot single family residential development - expired	Approved by BCC	December 2006
ZC-1512-05	Approved to reclassify the northern portion of this site to an R-2 zone for future single family residential development - expired	Approved by BCC	November 2005

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Major Development Project (Southern Highlands) Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential development

**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) (up to 8 du/ac)	R-2	Undeveloped parcel & single family residential development
East	Major Development Project (Southern Highlands) Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped parcel & single family residential development
West	Public Facilities	R-E	Undeveloped parcel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

Waiver of Development Standard #1

The purpose of the hillside development standards is to, among other items listed in Title 30, minimize grading and site disturbance on hillsides to maximize compatibility with the natural terrain, encourage the reasonable, safe and aesthetic use of the steep and inconsistent topography of the natural hillsides, establish a transition zone between hillside development and more intensive development, and ensure conservation of these area as a visual resource. This request does not comply with Goal 3.6 of Core Value 3: A healthy and sustainable natural and built environment encourages land development that minimizes alteration of the natural landform. While several hillsides within the immediate area have been graded to accommodate residential developments, these developments were not subject to the Hillside Development regulations contained within Title 30. The additional area of disturbance exceeds the previous request that greatly exceeded the Hillside Development Regulations. Therefore, staff cannot support this waiver.

Waiver of Development Standard #2

The proposed 5 foot setback will not be detrimental to the surrounding area when considering the lot is at the north end of the subdivision with minimal traffic and no drive through traffic.

Design Review

This request does not comply with Goal 3.6 of Core Value 3: A healthy and sustainable natural and built environment encourages land development that minimizes alteration of the natural

landform. While several hillsides within the immediate area have been graded to accommodate residential developments, these developments were not subject to the Hillside Development regulations contained within Title 30. The additional area of disturbance exceeds the previous request that greatly exceeded the Hillside Development Regulations. Therefore, staff cannot support the design review.

**Staff Recommendation**

Approval of waiver of development standards #2; denial of waiver of development standards #1 and the design review.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

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

**Public Works - Development Review**

- Comply with approved drainage study PW21-12700.

**Fire Prevention Bureau**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRISTOPHER HOMES, LLC**

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

DRAFT





# LAND USE APPLICATION

# 11A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>WS/DR-22-0394</u> DATE FILED: <u>7-9-2022</u> PLANNER ASSIGNED: <u>[Signature]</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>8-10-2022</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9-7-2022</u> FEE: <u>1,150</u>
	<b>PROPERTY OWNER</b> NAME: <u>SHS 1, LLC</u> ADDRESS: <u>448 Falcon Summit Ct</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b> NAME: <u>Christopher Homes, LLC a Nevada Limited Liability Company</u> ADDRESS: <u>448 Falcon Summit Ct</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>702-360-3200</u> CELL: _____ E-MAIL: <u>Chris@christopherhomes.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5725 W. Badura Ave Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwood.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 116-36-721-001 thru 030; 116-36-815001 thru 021

PROPERTY ADDRESS and/or CROSS STREETS: Chartran / Star Lily

PROJECT DESCRIPTION: Residential Subdivision

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

Property Owner (Signature)\*

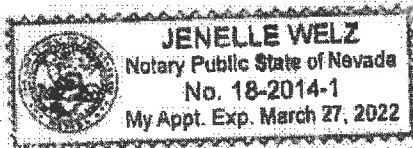
J. Christopher Stummer  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 30, 2021 (DATE)

By J. Christopher Stummer

NOTARY PUBLIC: Jenelle Welz



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

APR-22-100106

CHR2001

June 28, 2022

PLANNER  
COPY

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

**RE: Justification Letter for Waiver of Standards and Design Review for the Chartan Star Lily Development**

Westwood Professional Services, on behalf of the applicant Christopher Homes, respectfully submits this justification letter in support of a Zone Change (ZC), Special Use Permit (SUP), Waiver of Standards (WS), Design Review (DR), and Tentative Map (TMP) for the subject development.

**Project Description**

The subject development is comprised of 10<sup>±</sup> gross acres and is located approximately 500ft west of the Chartan Avenue & Star Lily Street intersection. The proposed community will be a single family attached residential subdivision with 50 dwelling units on 50 lots. Note that the project entitlements (ZC-20-0454, TM-20-5000154 and VS-20-0453) were approved on February 3, 2021.

**Design Review**

This DR submittal is required to satisfy a condition of ZC-20-0454, which states "...a subsequent Design Review for a final grading plan will be required for this project; if the final grading plans depicts a further increase in the disturbed area a subsequent waiver of development standard will be required; 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."

The original Design Review had 5.48 acres of lots and roadways, 0.10 acres of amenity area, 2.65 acres of open space and 1.77 acres of revegetated area.

The updated grading included with this submittal has 5.56 acres of lot and roadways, 0.08 acres for amenity area, 2.65 acres of open space and 1.66 acres of revegetated area.

A slight adjustment in the lots and roadways was due to tightening up linework from a tentative map to a final map level of design. The amenity area was tightened up and adjusted to the north which resulted in a slightly smaller area for the amenity and for the revegetated area.

A final map is included for reference of the acreages for the overall projects and the lots and roadways.

The updated grading plan included with this submittal confirms that the disturbed area is in conformance with the originally approved entitlements.

## Waiver of Development Standards

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

### 1. Clark County Supplement to CCAUSD – Chapter 1. 3.B.2 – Longitudinal Grades

Standard: Corner Setback 10-ft

Requested Waiver: 5-ft corner setback for Lot 1

Justification: Lot 1 will be a detached single-family residence. Lot 1 is a corner lot, therefore the setback requirement is 10-ft for the north setback. Since this lot is at the back of the subdivision and there will be no pass-through traffic, it is requested that this corner setback be reduced to 5-ft. Additionally, the common lot on the corner will be remapped to remove the common lot. This adjustment will not adversely impact site visibility zones nor utility corridors.

### 2. Title 30.56.100.c

Standard:

Slope (%)	Maximum Site Disturbance (Approximate % net development)	Natural Area (Approximate % net development undisturbed)
12.01 < 25	50	50
25+	35	65

1. Maximum site disturbance applies only to areas with slopes greater than 12%.

Requested Waiver: 5.64 acres of disturbance where 5.58 acres was approved via ZC-20-0454. Per calculation using the table above, the allowed disturbance is 5.54 acres.

Justification: The original design that was approved with ZC-20-0454 had a disturbed area of 5.58 acres. The current application has a disturbed area of 5.64 acres. This is an increase of 1.0%. The increase is due to the lots and roadways being slightly modified from the tentative map level design. The amenity area has slightly decreased from the original design. This net increase has an insignificant impact on the disturbance of the existing land. The roadways and lots are minimized as much as possible, with consideration for proper access to lots and room for utility separation.

PLANNER COPY

Thank you for considering these application requests. Please contact me at (702) 284-5300 if you have any questions regarding these applications.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Todd Steadham, PE  
Director, Land

CC:

Michael Stuhmer, Christopher Homes

PLANNER  
COPY