



# ENTERPRISE TOWN ADVISORY BOARD

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

December 13, 2023

6:00pm

## AGENDA

**Note:**

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

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

Barris Kaiser, Vice Chair  
Chris Caluya

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

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

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

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

- III. Approval of Minutes for November 29, 2023. (For possible action)
- IV. Approval of the Agenda for December 13, 2023, and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
  - 1. **PA-23-700039-BD EQUITIES, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 6.7 acres. Generally located on the west side of Arville Street and north side of Cougar Avenue within Enterprise. JJ/rk (For possible action) **01/02/24 PC**
  - 2. **ZC-23-0767-BD EQUITIES, LLC:**  
**ZONE CHANGE** to reclassify 6.7 acres from an R-E (Rural Estates Residential) Zone & and H-2 (General Highway Frontage) Zone to an M-D (Designed Manufacturing) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow modified driveway standards; **2)** allow access to a local street; and **3)** allow modified on-site loading design and improvement standards.  
**DESIGN REVIEWS** for the following: **1)** office/warehouse complex; and **2)** finished grade. Generally located on the west side of Arville Street and the north side of Cougar Avenue within Enterprise (description on file). JJ/rr/syp (For possible action) **01/02/24 PC**
  - 3. **VS-23-0768-BD EQUITIES, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Cougar Avenue, and between Cameron Street and Arville Street and a portion of a right-of-way being Cougar Avenue located between Cameron Street and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action) **01/02/24 PC**
  - 4. **PA-23-700040-BUFFALO & AGATE, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) on 1.0 acre. Generally located on the southeast corner of Buffalo Drive and Agate Avenue within Enterprise. JJ/gc (For possible action) **01/02/24 PC**

5. **ZC-23-0773-CROWE, NANCY D SEPARATE PROPERTY TRUST:**  
**ZONE CHANGE** to reclassify 1.0 acre from R-E (Rural Estate Residential) (RNP-I) Zone to C-2 (General Commercial) Zone.  
**USE PERMIT** for a kennel (dog boarding and daycare).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; and 2) reduce driveway throat depth.  
**DESIGN REVIEWS** for the following: 1) a kennel (dog boarding and daycare); and 2) alternative parking lot landscaping. Generally located on the east side of Buffalo Drive and the south side of Agate Avenue within Enterprise (description on file). JJ/jor/syp (For possible action) **01/02/24 PC**
  
6. **VS-23-0774-CROWE, NANCY D. SEPARATE PROPERTY TRUST:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Agate Avenue and Blue Diamond Road, and between Buffalo Drive and Jerlyn Street (alignment), and a portion of a right-of-way being Agate Avenue located between Buffalo Drive and Jerlyn Street (alignment), and a portion of right-of-way being Buffalo Drive located between Agate Avenue and Blue Diamond Road within Enterprise (description on file). JJ/jor/syp (For possible action) **01/02/24 PC**
  
7. **VS-23-0749-SILVERSTONE PROPERTIES LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Rainbow Boulevard located between Raven Avenue and Blue Diamond Road within Enterprise (description on file). JJ/jud/syp (For possible action) **01/02/24 PC**
  
8. **WS-23-0750-SILVERSTONE PROPERTIES, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to allow an attached sidewalk along Raven Avenue where detached sidewalks are required in conjunction with a 1 lot commercial subdivision on 3.8 acres in a C-2 (General Commercial) Zone. Generally located on the southwest corner of Rainbow Boulevard and Raven Avenue within Enterprise. JJ/sd/syp (For possible action) **01/02/24 PC**
  
9. **TM-23-500159-SILVERSTONE PROPERTIES, LLC:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 3.8 acres in a C-2 (General Commercial) Zone. Generally located on the southwest corner of Rainbow Boulevard and Raven Avenue within Enterprise. JJ/jud/syp (For possible action) **01/02/24 PC**
  
10. **WS-23-0756-KEFALE LIVING TRUST & KEFALE NEBEU TRS:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setbacks for an existing accessory structure in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Mount Eden Avenue, 55 feet west of Windsor Oaks Street within Enterprise. JJ/nai/syp (For possible action) **01/02/24 PC**
  
11. **DR-23-0758-BLUE DIAMOND SP LAND, LLC:**  
**DESIGN REVIEW** for restaurant buildings with drive-thru services on a 0.9 acre portion of 2.5 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 1,000 feet east of Grand Canyon Drive within Enterprise. JJ/sd/syp (For possible action) **01/03/24 BCC**

12. **UC-23-0771-SOUTHERN HIGHLANDS INVEST PTNRS:**  
**USE PERMITS** for the following: 1) modified wall height standards; and 2) modified front setback standards.  
**WAIVER** to allow modified street improvement standards.  
**DESIGN REVIEWS** for the following: 1) detached single family residential development; 2) to allow hammerhead cul-de-sacs; and 3) finished grade on 54.4 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community. Generally located on the east side of Dectaur Boulevard (alignment) and the south side of Bruner Avenue (alignment) within Enterprise. JJ/hw/syp (For possible action) 01/03/24 BCC
  
13. **TM-23-500164-SOUTHERN HIGHLANDS INVEST PTNRS:**  
**TENTATIVE MAP** consisting of 190 single family detached residential lots and 2 common lots on 54.4 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community. Generally located on the east side of Dectaur Boulevard (alignment) and the south side of Bruner Avenue (alignment) within Enterprise. JJ/hw/syp (For possible action) 01/03/24 BCC
  
14. **UC-23-0777-BBR OIL IX, LLC:**  
**USE PERMIT** to reduce setback from a vehicle wash to a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the number of freestanding signs; and 2) allow wall signs to face adjacent residential development.  
**DESIGN REVIEWS** for the following: 1) vehicle (automobile) wash; 2) lighting; and 3) signage on 1.8 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/jud/syp (For possible action) 01/03/24 BCC
  
15. **WC-23-400166 (UC-22-0007)-SIGNATURE LAND HOLDINGS, LLC:**  
**WAIVER OF CONDITIONS** of a use permit requiring perimeter walls on the north and east sides of the subdivision to be tiered (consistent with Figure 30.64-1 to the extent practical) and decorative in conjunction with an approved single family residential subdivision on 2.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the northeast corner of Chieftain Street and Serene Avenue within Enterprise. JJ/tpd/syp (For possible action) 01/03/24 BCC

VII. General Business

1. Discuss February 14, 2024, Enterprise Town Advisory Board meeting. (For possible action)

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: December 27, 2023.
- X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Windmill Library – 7060 W. Windmill Lane  
<https://notice.nv.gov>





# Enterprise Town Advisory Board

November 29, 2023

## MINUTES

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

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

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

Steve DeMerritt, 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 November 15, 2023 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published for November 15, 2023.

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

### IV. Approval of Agenda for November 29, 2023 and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended.

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

Applicant requested Hold:

11. WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC: The applicant requested a **HOLD** to the Enterprise TAB on January 10, 2024.

Related applications to be heard together:

2. PA-23-700037-ROOHANI KHUSROW FAMILY TRUST:
3. ZC-23-0729-ROOHANI KHUSROW FAMILY TRUST:
4. VS-23-0730-ROOHANI KHUSROW FAMILY TRUST ET.AL:
5. TM-23-500152-ROOHANI KHUSROW FAMILY TRUST:
  
9. ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:
10. WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:
  
13. ZC-23-0745-LV ERIE, LLC:
14. VS-23-0746-LV ERIE, LLC:

Agenda change:

6. VC-23-0720-AELLO JOANNE: Will be heard first.

#### V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
  - **Clark County Development Code:**  
Title 30 was adopted August 2023 and will take effect on January 1, 2024. The Department of Comprehensive Planning has scheduled two public training sessions for the newly adopted Title 30. There will be a presentation highlighting the reorganization of Title 30.

Session 2

Monday December 4th, 2023, at 6:00 p.m.

Clark County Government Center

Commission Chambers, First Floor

500 S. Grand Central Parkway, Las Vegas, NV 89115

#### VI. Planning & Zoning

1. **ET-23-400124 (WS-22-0342)-JM LEASING, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for setbacks in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/tpd/syp (For possible action) **12/05/23 PC**

Motion by Kaushal Shah

Action: **APPROVE** per staff conditions

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



2. **PA-23-700037-ROOHANI KHUSROW FAMILY TRUST:**  
**PLAN AMENDMENT** to redesignate the existing land use categories from Ranch Estate Neighborhood (up to 2 du/ac), Neighborhood Commercial, and Corridor Mixed-Use to Mid-Intensity Suburban Neighborhood (up to 8 du/ac) on 14.0 acres. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/gc (For possible action) 12/19/23PC

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

3. **ZC-23-0729-ROOHANI KHUSROW FAMILY TRUST:**  
**ZONE CHANGE** to reclassify 14.0 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (RNP-I) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; **2)** establish alternative yards for residential lots; **3)** street landscaping; **4)** eliminate landscaping adjacent to a less intensive use; and **5)** reduce the width of a local (public) street.  
**DESIGN REVIEWS** for the following: **1)** hammerhead street design; **2)** single family residential development; and **3)** finished grade. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (description on file) (For possible action) 12/19/23 PC

Motion by David Chestnut  
Action: **APPROVE:** Zone Change reduced to R-1  
**DENY:** Waivers of Development Standards;  
**DENY:** Design Reviews  
**ADD** Comprehensive Planning conditions:

- Install passive amenities in the open spaces
- 10,000 sq ft or greater lots abutting Ranch Estates
- Single story homes abutting established single-story homes
- Architectural features to be similar on all four building elevations
- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way

**DELETE** Public Works - Development Review bullets # 6 through 9  
**ADD** Public Works - Development Review conditions

- All streets to be public streets

**CHANGE** Public Works - Development Review bullet # 5

- Right of way to include 25 feet to the back of curb for Agate Avenue, **25 feet for** Raven Avenue and 45 feet to the back of curb for Durango Drive

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

4. **VS-23-0730-ROOHANI KHUSROW FAMILY TRUST ET.AL.:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Pebble Road; portions of right-of-way being Raven Avenue located between Durango Drive and Gagnier Boulevard (alignment); a portion of right-of-way being Durango Drive located between Agate Avenue and Pebble Road; a portion of right-of-way being Agate Avenue located between Durango Drive and Gagnier Boulevard (alignment); and a portion of right-of-way being Rocca Street/Lisa Lane located between Raven Avenue and Agate Avenue within Enterprise (description on file). JJ/md/syp (For possible action) 12/19/23 PC

Motion by David Chestnut

Action: **APPROVE**

**APPROVE:** Only easements to be vacated on Vacation Exhibit dated 10-13-2023.

**DELETE:** Public Works - Development Review condition bullets #s 2 through 5

**ADD:** Public Works - Development Review conditions

- All streets to be public streets

**CHANGE:** Public Works - Development Review bullet # 1 to read

- Right of way to include 25 feet to the back of curb for Agate Avenue, 25 feet for Raven Avenue and 45 feet to the back of curb for Durango Drive

Per staff conditions

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

5. **TM-23-500152-ROOHANI KHUSROW FAMILY TRUST:**

**TENTATIVE MAP** consisting of 107 lots and common lots on 14.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (For possible action) **12/19/23 PC**

Motion by David Chestnut

Action: **DENY**

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

6. **VC-23-0720-AELLO JOANNE:**

**VARIANCE** for reduced setback in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Toscano Gardens Street, 100 feet north of Parma Galleria Avenue within Enterprise. JJ/mh/syp (For possible action) **12/19/23 PC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

7. **VS-23-0728-BDGC ANIMAL HOSPITAL LLC:**

**VACATE AND ABANDON** easement of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Oleta Avenue and Blue Diamond Road within Enterprise (description on file). JJ/rp/syp (For possible action) **12/19/23 PC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

8. **WS-23-0734-MARQUEZ FAMILY TRUST ETAL & MARQUEZ CHRISTIAN & GABRIELA TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive water connection; and **2)** waive sanitary sewer service connection in conjunction with a single family residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/tpd/syp (For possible action) **12/19/23 PC**

Motion by David Chestnut

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

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

9. **ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME** for the following: **1)** reduce driveway separation; and **2)** reduce throat depth for a driveway.  
**DESIGN REVIEW** for a proposed on-premises consumption of alcohol (tavern) on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

Motion by Barris Kaiser

Action: **APPROVE:**

**CHANGE:** Comprehensive Planning bullet #1 to read:

- Until December 04, **2024** to commence

Per staff conditions

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

10. **WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:**  
**WAIVER OF CONDITIONS** of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions

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

11. **WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow attached sidewalk and alternative landscaping; **2)** increase wall height; **3)** eliminate parking lot landscaping; **4)** allow non-standard improvements; **5)** reduce departure distance; and **6)** reduce driveway width.  
**DESIGN REVIEWS** for the following: **1)** modification to previously approved tavern; **2)** finished grade on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

The applicant requested a **HOLD** to the Enterprise TAB on January 10, 2024

12. **UC-23-0726-BGD, LLC:**  
**USE PERMIT** to allow accessory structures (conex box) not architecturally compatible with the existing building.  
**WAIVER OF DEVELOPMENT STANDARDS** to modify CMA Design Overlay District standards.  
**DESIGN REVIEW** for accessory structures (conex box) in conjunction with an existing vehicle sales facility on 10.2 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Maule Avenue, 300 feet east of Redwood Street within Enterprise. MN/sd/syp (For possible action) **12/20/23 BCC**

Motion by Justin Maffett

Action: **DENY**

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

13. **ZC-23-0745-LV ERIE, LLC:**  
**ZONE CHANGE** to reclassify 3.5 acres from an H-2 (General Highway Frontage) to a C-1 (Local Business District) Zone.  
**USE PERMITS** for the following: **1)** mini-warehouse; **2)** convenience store; **3)** gasoline station; and **4)** vehicle wash.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** building height; **2)** off-site improvements; **3)** non-standard improvements in right-of-way; **4)** eliminate sidewalk and alternative landscaping; **5)** allow modified driveway design standards; and **6)** allow modified street standards.  
**DESIGN REVIEWS** for the following: **1)** mini-warehouse; **2)** convenience store; **3)** gasoline station; **4)** vehicle wash; and **5)** finished grade. Generally located on the east side of Las Vegas Boulevard South and the south side of Erie Avenue within Enterprise (description on file). MN/rr/syp (For possible action) **12/20/23 BCC**

Motion by David Chestnut

Action: **APPROVE:**

**ADD** Comprehensive Planning conditions:

- Design Review as a public hearing for lighting and signage
- Architectural features to the north, east and south elevations

Per staff if approved conditions

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

14. **VS-23-0746-LV ERIE, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Las Vegas Boulevard South and Giles Street (alignment), and between Erie Avenue and Siddall Avenue and a portion of right-of-way being Erie Avenue located between Las Vegas Boulevard South and Giles Street (alignment) within Enterprise (description on file). MN/rr/syp (For possible action) **12/20/23 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

## VII. General Business:

1. Review the 2024 Enterprise Town Advisory Board Tentative meeting calendar. (For discussion only.)  
The board discussed the first few months of next year's calendar. The full 2024 calendar will be finalized in January 2024. The board would like to consider changing the February 14, 2024 meeting to another date due to Valentine's Day.

## 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 December 13, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett

Action: **ADJOURN** meeting at 8:07 p.m.

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



**PUBLIC HEARING**  
**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**PA-23-700039-BD EQUITIES, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 6.7 acres.

Generally located on the west side of Arville Street and north side of Couger Avenue within Enterprise. JJ/rk (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-18-303-006; 177-18-303-048; 177-18-303-050

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

**PROPOSED LAND USE PLAN:**  
ENTERPRISE – BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 6.7
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that a change in the land use plan to Business Employment (BE) satisfies the requirements set forth in 30.12-1(h). According to the applicant a grade level office/warehouse project (with no high doors) will be compatible with other commercial projects along Blue Diamond Road. The site is master planned for Commercial Neighborhood (CN) uses which is primarily a mix of retail, restaurant, offices, and other service commercial uses. The applicant attempted to obtain a curb cut for a commercial driveway on Blue Diamond Road through the application process with NDOT and their application was rejected. Without the driveway located on Blue Diamond Road, the applicant believes the site is not positioned well for CN. One of the adjacent uses to the north is service commercial (tire center) in the CN designation, which could also be placed in the BE land use designation. As with many CN uses in the BE category are allowed through the approval of a use permit request. Therefore, the proposed development is no more intense than CN or CM. Additionally, the proposed amendment will not have substantial or undue adverse effects on adjacent properties and the site will be adequately served by public improvements, facilities, and services.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use; Neighborhood Commercial; Right-of-Way	C-2	Convenience store with gasoline sales, tire center, Blue Diamond Road
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Neighborhood Commercial	H-2 & R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Shopping Center

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0767	A zone change to reclassify the site to M-D zoning with waivers and a design review for an office/warehouse complex is a companion item on this agenda.
VS-23-0768	A request to vacate easements and right-of-way on this site is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Neighborhood Commercial (NC) to Business Employment (BE). Intended primary land uses in the proposed BE land use designation include office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small scale commercial services, such as restaurants, athletic clubs, service-commercial, and other similar uses.

Staff finds the request to redesignate the site to Business Employment (BE) to be too intense for, and not compatible with, the surrounding area. The site is abutting an R-E (RNP-I) Ranch Estate Neighborhood to the south and is directly northeast of an existing R-2 single family residential subdivision. There are currently no industrial zoned or planned uses in the area. The nearest industrial zoned property is over a third of a mile away to the north at the intersection of Windmill Lane and Arville Street.



The request to BE does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Furthermore, the Master Plan states that BE uses should be concentrated near airports, major transportation corridors, and railroads. For these reasons, staff cannot support the proposed request.

**Staff Recommendation**

Denial. If approved adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024, at 9:00 a.m., unless otherwise announced.

If this request is adopted, 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.

**TAB/CAC:**

**APPROVALS:**

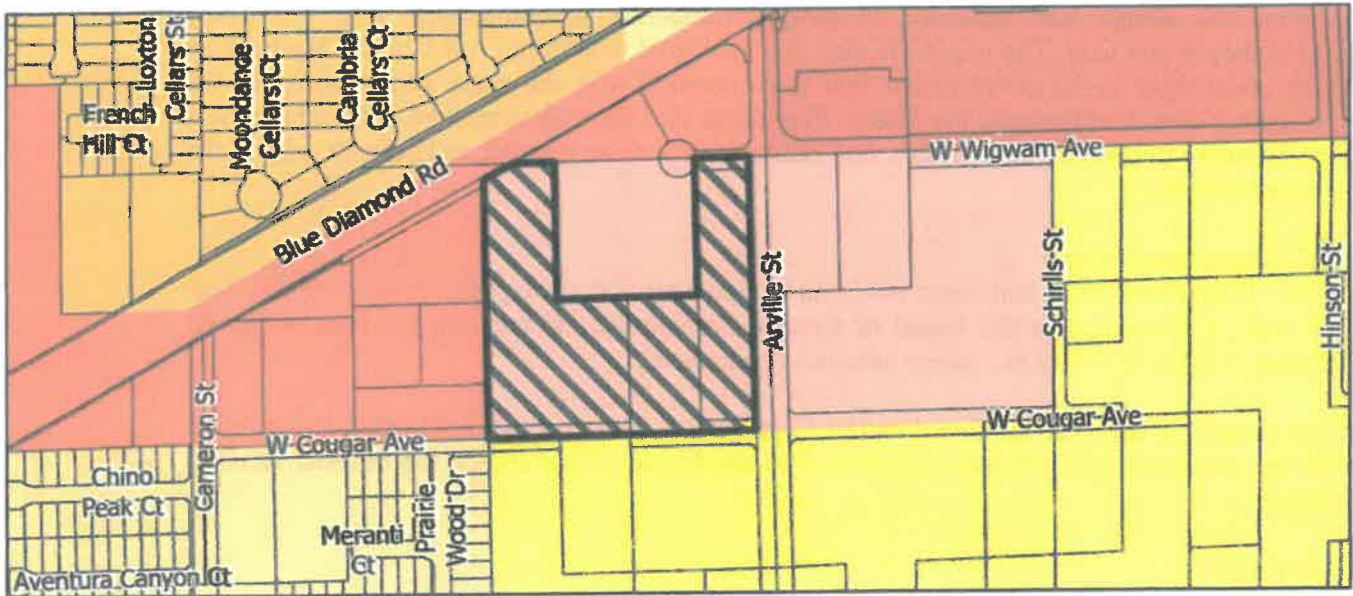
**PROTEST:**

**APPLICANT: BD EQUITIES**

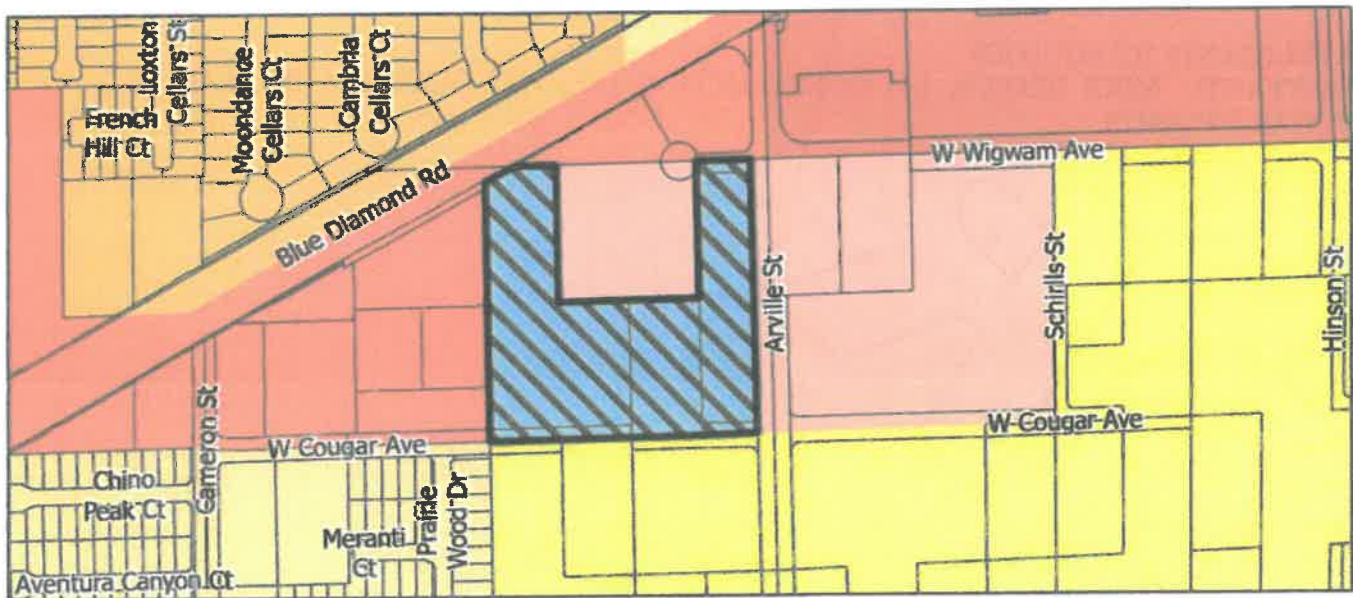
**CONTACT: MIKE BROWN, LM CONSTRUCTION CO., 7115 BERMUDA RD, LAS VEGAS, NV 89119**

DRAFT

# Planned Land Use Amendment PA-23-700039



**Current**



**Requested**

**Neighborhoods**

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

**Employment**

- Business Employment (BE)
- Industrial Employment (IE)

**Commercial and Mixed Use**

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Planning Areas

Requested Area To Change

DRAFT

Enterprise  
Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*



# MASTER PLAN AMENDMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 1A

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED  
COMPANION ITEMS 2C-23-0767 4 US-23-0768

<b>APPLICATION TYPE</b> <input type="checkbox"/> LAND USE PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input checked="" type="checkbox"/> TEXT <input type="checkbox"/> LAND USE PLAN UPDATE (LUP) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT <input type="checkbox"/> TRANSPORTATION ELEMENT AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT <input type="checkbox"/> TRAIL AMENDMENT (PA) <input type="checkbox"/> MAP	STAFF	DATE FILED: <u>11/6/23</u> APP. NUMBER: <u>PA-23-700039</u> PLANNER ASSIGNED: _____      TAB/CAC: <u>ENTERPRISE</u> ACCEPTED BY: <u>MND</u> TAB/CAC MTG DATE: <u>12/13/23</u> TIME: <u>6:00 PM</u> FEE: <u>\$2,700.00</u> PC MEETING DATE: <u>1/2/24 @ 7:00 PM</u> CHECK #: <u>FEES PAID VIA INTERNET</u> BCC MEETING DATE: <u>2/7/24 @ 9:00 AM</u> COMMISSIONER: <u>JONES</u> ZONE / AE: <u>R-E, H-2 TO M-D</u> PLANNED LAND USE: <u>NC TO BE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>Y/N</u> TRAILS? <input checked="" type="checkbox"/> <u>Y/N</u> NOTIFICATION RADIUS: <u>1,500'</u>
		PROPERTY OWNER

APPLICANT	NAME: <u>Albert Halimi</u> ADDRESS: <u>16309 Royal Hills Drive</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91436</u> TELEPHONE: <u>818-653-1129</u> CELL: _____ E-MAIL: <u>Albert.halimi@gmail.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Mike Brown - LM Construction Co., LLC</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>MikeB@LMConstrucionco.com</u> REF CONTACT ID #: <u>128485</u>
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REQUEST	ASSESSOR'S PARCEL NUMBER(S): <u>177-18-303-050, 006 &amp; 048</u> CURRENT LAND USE PLAN DESIGNATION: <u>NC (Neighborhood Commercial)</u> REQUESTED LAND USE PLAN DESIGNATION: <u>BE (Business Employment)</u> PROPERTY ADDRESS and/or CROSS STREETS: <u>Northwest Corner of Cougar Avenue &amp; Arville Street</u>
---------	---

(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.

 \_\_\_\_\_      ALBERT HALIMI  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF California  
 COUNTY OF Los Angeles  
 SUBSCRIBED AND SWORN BEFORE ME ON Aug 23, 2023 (DATE)  
 By Albert Halimi  
 NOTAR PUBLIC: \_\_\_\_\_

SEE ATTACHED CA  
NOTARY CERTIFICATE

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

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

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

~~Signature of Document Signer No. 1                      Signature of Document Signer No. 2 (if any)~~

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

State of California  
 County of Los Angeles

Subscribed and sworn to (or affirmed) before me  
 on this 23<sup>rd</sup> day of August, 2023  
 by Albert Halimi  
 (1)



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

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

Signature: [Handwritten Signature]  
 Signature of Notary Public

Place Notary Seal and/or Stamp Above

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document

**Description of Attached Document**  
 Title or Type of Document Master Plan Amendment Application  
 Document Date 08/23/2023                      Number of Pages 1  
 Signer(s) Other Than Named Above \_\_\_\_\_



PA-23-700039

5075 CAMERON SUITE H • LAS VEGAS, NV 89118 • (702) 262-6032 • FAX (702) 262-6150  
[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

### Justification Letter

September 5, 2023  
Revised October 2, 2024  
Revised October 30, 2024

Clark County Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89106

**PLANNER  
COPY**

**Subject: Master Plan Amendment – For the Northwest Corner of Arville Street and  
W. Cougar Avenue APN: 177-18-303-050,006 & 048**

To whom it may concern:

APN(S); 177-18-303-050,006 & 048 are located on the northwest corner of Arville Street and W. Cougar Street and are currently three (3) vacant and undeveloped parcels. Applicant is proposing to construct a multi-tenant facility consisting of six (6) grade level buildings (no dock high doors) with a total of +/- 100,120 sq/ft office/warehouse concrete-tilt-up structures. The building wall heights will not exceed 28'-0" above the finished grade with an interior clear height of 20'-0". Currently there is water and sewer in the surrounding streets.

We are submitting for and requesting a **Master Plan Amendment and Zone Change** - the current zoning classification for these APN's is Rural Estates (RE) and General Highway (H2) with a Planned Land Use of CN (Commercial Neighborhood). LMCC is proposing a master plan amendment from CN (Commercial Neighborhood) to BE (Business Employment). The zone change request will be from RE (Rural Estates) to MD (Design Manufacturing). A change in land use plan to BE satisfies the requirements set forth in Table 30.12-1(h). As a grade level only project (no dock high doors) we believe the MD zone will be compatible with the other Commercial zoning districts within this neighborhood.

**1. The proposes amendment is consistent with the overall intent of the Master Plan:**

The site is master planned for CN uses which primarily is a mix of retail, restaurants, offices, service commercial and other professional services. The proposed change to the Master Plan is BE which often services Office/Warehouse/Flex space as well as light-industry uses. Supporting Land Uses of BE are small scale commercial services, restaurants, private training centers and service commercial which is consistent with the same uses in CN.



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**2. The proposed amendment is required based on changed conditions or further studies:**

The applicant attempted to obtain an approved curb cut with a commercial driveway approach in Blue Diamond Road through the application process with NDOT and their application was rejected. Without the driveway located on Blue Diamond Road, the site is not positioned well for CN, but is a great match for BE. The proposed master plan amendment to BE meets the newly adopted Transform Clark County Master Plan.

**3. The proposed amendment is compatible with the surrounding area:**

One of the adjacent uses is service commercial (Tire Center) CN, which could also be placed in a BE land use as is the same with many CN uses in a BE classification, which are able to be placed with the appropriate Use Permits. BE uses are also compatible with the CM (Corridor Mixed Use) as well as EM (Entertainment Mixed Use). The BE land use meets many of the same criteria and intention of the Transform Clark County Master Plan. This project will provide the neighborhood with a location for local small businesses to grow.

**4. The proposed amendment will not have a negative effect on the adjacent properties or on transportation services and facilities:**

The proposed Master Plan Amendment to BE will not have a negative effect on adjacent properties or on services in the area. The proposed use is no more intense than CN, CM or EM and will have a less intense effect than any one of those commercial uses.

**5. The proposed amendment will have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed amendment will not result in any additional impacts on surrounding infrastructure not already contemplated for the area. Water and sewer are in the streets surrounding the project and when added dry utilities are brought into the area by this development, it will benefit the neighborhood and future development as a whole, the adjacent parcels will now have the dry utility infrastructure in place (NVE, Cox, CenturyLink).

**6. The proposed amendment will not cause a detriment to the public health, safety, and general welfare of the people of Clark County:**

The proposed amendment will not cause any detriment to public health, safety, and general welfare to the people of Clark County. The land is currently vacant, and the development of this flex product will allow for a much needed product type in this area. This will be a benefit not a detriment to the community. Fire and police services will not be substantially affected by the development of the site.



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[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

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LMCC does not believe the proposed development creates additional stress on the community and will enable small businesses to locate close to residences, thus reducing traffic in the area. This project will provide a much-needed place of business in this community, providing flexible options with a less intense use. Therefore, a Master Plan Amendment to BE is appropriate as the Applicant has satisfied the standards of approval.

We hereby request approval of the Master Plan Amendment and Zone Change.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry Monkarsh", with a long horizontal flourish extending to the right.

Larry Monkarsh  
L M construction Co., LLC





01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

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

**ZC-23-0767-BD EQUITIES, LLC:**

**ZONE CHANGE** to reclassify 6.7 acres from an R-E (Rural Estates Residential) Zone & and H-2 (General Highway Frontage) Zone to an M-D (Designed Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow modified driveway standards; 2) allow access to a local street; and 3) allow modified on-site loading design and improvement standards.

**DESIGN REVIEWS** for the following: 1) office/warehouse complex; and 2) finished grade.

Generally located on the west side of Arville Street and the north side of Cougar Avenue within Enterprise (description on file). JJ/rr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-18-303-006; 177-18-303-048; 177-18-303-050

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce throat depth for a driveway on Cougar Avenue to 10 feet where 75 feet is required per Uniform Standard Drawing 222.1 (an 86.7% reduction).
- b. Reduce throat depth for a driveway on Arville Street to 10 feet 9 inches where 75 feet is required per Uniform Standard Drawing 222.1 (an 85.7% reduction).
2. Allow access to a local street (Cougar Avenue) where the block is master planned for single family residential uses where it is not allowed by standards in Table 30.56-2.
3. Allow overhead doors to face the public street (Arville Street) and allow customer parking in the vicinity of the doors where it is not allowed by the standards in Section 30.60.070.

**DESIGN REVIEW:**

1. Office/warehouse complex.
2. Increase finished grade to 42 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 16.7% increase).

**PROPOSED LAND USE PLAN:**

**ENTERPRISE - BUSINESS EMPLOYMENT**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 6.7
- Existing Land Use: Neighborhood Commercial (NC)

- Project Type: Office/warehouse complex
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 12,000 (Building A)/18,160 (Building B)/18,020 (Buildings C & D)/16,960 (Buildings E & F)
- Parking Required/Provided: 151/165

### Site Plan

The plan depicts 3 parcels which border 4 streets, Blue Diamond Road at the northwest corner, Wigwam Avenue on the north, Arville Street on the east, and Cougar Avenue on the south. The plan shows a complex of 6 multiple tenant industrial buildings consisting of one, 12,000 square foot warehouse (Building A), one, 18,160 square foot warehouse (Building B), two, 18,020 square foot warehouses (Buildings C & D), and two, 16,960 square foot warehouses (Buildings E & F), for a total of 101,120 square feet. A trash enclosure is provided along the side of each warehouse building.

There will be grade level 12 foot by 14 foot overhead doors at the rear of each building except for Building A which will have overhead doors facing Arville Street. Parking is provided along the frontage of all buildings. Vehicular access is provided to the rear of all buildings except for Building A, which is located on the eastern portion of the site closest to Arville Street. There are 165 parking spaces proposed for the entire site where a minimum of 151 spaces are required. The property is accessed by way of 3 driveways, with 1 located on the east side of the property on Arville Street and the other on the south side of the property on Cougar Avenue. A third driveway on Wigwam Avenue on the north side of the property is intended for emergency access only and will feature a Fire Department emergency access gate. There is no access to Blue Diamond Road, a Nevada Department of Transportation (NDOT) right-of-way.

### Landscaping

Landscape plans indicate street landscaping 15 feet 6 inches in width, including a proposed detached sidewalk along Cougar Avenue and Arville Street. An existing attached sidewalk is shown along Wigwam Avenue with a landscape area that is 22 feet 6 inches in width. All plants appear to be selected from the Southern Nevada Water Authority (SNWA) Regional Plant List. Trees consist of 24 inch box large trees planted 40 feet apart in alternating rows per Figure 30.64-17. Where the street and driveway sight zones prohibit the placement of the trees, the trees are placed 20 feet apart outside the sight zones. Street trees are planted 15 feet apart along Arville Street adjacent to Building A to provide additional screening of the overhead doors which face the street. Parking lot landscape design features landscape islands/fingers each with one large 24 inch box tree and 2 shrubs for every 6 parking spaces in a row with 1 medium tree with 2 or more shrubs for every 4 parking spaces in a row per Figure 30.64-14.

### Elevations

The proposed buildings are concrete tilt-up construction with a maximum parapet height of 28 feet. The building parapets are varied in height approximately every 20 to 40 linear feet. Future rooftop mechanical units will be screened by the parapets. The concrete tilt-up exterior walls will be painted with 3 different shades of grey colors. Building entrances will be covered by metal canopies. The building frontages will feature storefront windows. Building A will feature glass

overhead doors which face Arville Street. The other buildings will have metal overhead doors located along the rear elevations.

**Floor Plans**

Floor plans for each building show an open warehouse floor plan with multiple entrances in the front. Except for Building A, each building has eight 12 foot by 14 foot grade level overhead doors at the rear of each building. Building A has four 12 foot by 14 foot grade level overhead doors along the building frontage which faces Arville Street. The interior clear height of each building is proposed to be 20 feet.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states that the proposed development does not create additional stress on the community and will enable small businesses to relocate close to residences, thus reducing traffic in the area. The applicant further states that this project will provide a much needed place of business in this community that will complement the original proposed planned use of Neighborhood Commercial (NC), providing flexible options with a less intense use.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Neighborhood Right-of-Way Mixed-Use; Commercial;	C-2	Convenience store with gasoline sales, tire center, Blue Diamond Road
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-F)	Undeveloped
East	Neighborhood Commercial	H-2 & R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Shopping center

**Related Applications**

Application Number	Request
PA-23-700039	Plan amendment to redesignate the land use category from NC (Neighborhood Commercial) to BE (Business Employment) is a companion item on this agenda.
VS-23-0768	A request to vacate and abandon patent easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

#### Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area.

The applicant requests a change from R-E and H-2 to M-D zoning to facilitate the development of the site with a complex of 6 warehouse buildings. There is a companion request to change the land use designation of the Master Plan from Neighborhood Commercial (NC) to Business Employment (BE) to allow the requested zone change to be conforming to the plan which is required. The Business Employment land use designation and M-D zone allow for various light manufacturing uses, including office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small scale commercial services such as restaurants, athletic clubs, service-commercial, and other similar uses. The M-D zone is generally appropriate for property designated as BE in the Master Plan. However, staff finds the request for the M-D zone to be too intense for, and not compatible with, the surrounding area. The site is abutting an R-E (RNP-I) Ranch Estate Neighborhood to the south and is directly northeast of an existing R-2 single family residential subdivision. There are currently no industrial zoned or planned uses in the area. The nearest industrial zoned property is over a third of a mile away to the north at the intersection of Windmill Lane and Arville Street, on the opposite side of Blue Diamond Road. For this reason, a zone change to M-D could be considered spot zoning.

The request to M-D zoning does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. For these reasons, staff finds the request for the M-D zone is not appropriate for this location and, therefore, cannot support the proposed request.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #2

The applicant is requesting a waiver from Table 30.56-2 which states that non-residential developments shall not access local streets, or arterial or collector streets if the block includes land master planned for single family uses unless the street is the sole means of access. The proposal is for a single 40 foot wide driveway on Cougar Avenue, a local street, which is not the sole means of access. The designated land use on the south side of Cougar Avenue is Ranch Estate Neighborhood (up to 2 du/ac) which is primarily intended for single family development on lots of at least one-half acre. The applicant states that the driveway on Arville Street will be a secondary driveway and that the driveway on Cougar Avenue is needed for adequate circulation, deliveries,

and Fire Department access. While the property to the south is not yet developed with single family residential homes, any such future development would likely be impacted by the traffic and noise generated by trucks and other commercial vehicle traffic using the driveway on Cougar Avenue. For this reason, staff cannot support the proposed waiver.

### Waiver of Development Standards #3

The applicant is requesting a waiver from Section 30.60.070 which states that areas with overhead doors need to be located at the rear of buildings unless adequate screening is provided to obscure their view from the street. Additionally, customer parking shall not be located in the vicinity of the overhead doors. Building A is proposed to have 4 overhead doors that face Arville Street. There is also parking located opposite the building but still in the general vicinity of the overhead doors. The applicant states that the overhead doors will not serve semi-truck access as there is not enough room for such trucks on site, and that additional trees and landscape berms will be provided along Arville Street to help screen the overhead doors. The landscape plan shows the Arville Street frontage between the driveway and Wigwam Avenue adjacent to Building A with a single row of large trees planted 15 feet apart with 3 additional large trees in a second row planted 30 feet apart for a total of 18 trees. With approximately 250 feet of street frontage, normally 2 rows of large trees planted 40 feet apart in an alternating pattern would be required resulting in a minimum of about 13 trees. The number of trees has been increased by five. However, the trees are unlikely to obscure the overhead doors unless they are tall trees in combination with wide shrubs. The overhead doors are also shown on the elevations with glass windows rather than only a metal surfacing. The additional landscaping and overhead door design could be an acceptable alternative under different circumstances. However, since staff is not supporting the design review or zone change, staff cannot support this waiver.

### Design Review #1

The proposed site plan, landscape plan, and building elevations, indicate appropriate design characteristics, building materials, and other architectural features that are generally acceptable for an office/warehouse development located in an M-D zone. However, staff is not supporting the zone change to M-D nor the companion Master Plan amendment to BE as staff believes the proposal is not consistent with the Master Plan and the standards of Title 30 for this particular location. Therefore, staff recommends denial of the design review.

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

#### Waiver of Development Standards #1

Staff finds that the reduced throat depth for both of the commercial driveways will also result in on street stacking of vehicles creating a safety hazard. Since Arville Street is a collector street with high volume of traffic, it is important for vehicles to exit the right-of-way without the impediment of those attempting to access the parking stalls. Therefore, staff cannot support this request.

### 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 cannot support this application in its entirety, staff cannot support this design review.

**Staff Recommendation**

**Denial.** This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- The County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way, the dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- Applicant is advised that 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 #0309-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BD EQUITIES

**CONTACT:** MIKE BROWN, LM CONSTRUCTION CO., 7115 BERMUDA RD, LAS VEGAS, NV 89119

DRAFT







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 2A

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><input type="checkbox"/> CONFORMING (ZC)</p> <p><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>20-23-0767</u>      DATE FILED: <u>11/6/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>ENTERPRISE</u>      TAB/CAC DATE: <u>12/13/23</u></p> <p>PC MEETING DATE: <u>1/2/24 @ 7:00 PM</u>      @ <u>5:00 PM</u></p> <p>BCC MEETING DATE: <u>2/2/24 @ 9:00 AM</u>      <u>COMPANION ITEMS</u></p> <p>FEE: <u>\$2,200.00</u>      <u>PA-23-700039 &amp; VS-23-0768</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>BD Equities, LLC</u></p> <p>ADDRESS: <u>16309 Royal Hills Drive</u></p> <p>CITY: <u>Encino</u>      STATE: <u>CA</u>      ZIP: <u>91436</u></p> <p>TELEPHONE: <u>818-653-1129</u>      CELL: _____</p> <p>E-MAIL: <u>Albert.Halimi@gmail.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Albert Halimi</u></p> <p>ADDRESS: <u>16309 Royal Hills Drive</u></p> <p>CITY: <u>Encino</u>      STATE: <u>CA</u>      ZIP: <u>91436</u></p> <p>TELEPHONE: <u>818-653-1129</u>      CELL: _____</p> <p>E-MAIL: <u>Albert.Halimi@gmail.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Mike Brown - LM Construction Co., LLC</u></p> <p>ADDRESS: <u>7115 Bermuda Rd</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-262-6032</u>      CELL: _____</p> <p>E-MAIL: <u>MikeB@LMConstructionco.com</u>      REF CONTACT ID #: <u>128485</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-18-303-050, 006 & 048

PROPERTY ADDRESS and/or CROSS STREETS: Northwest corner of Cougar Ave and Arville Street

PROJECT DESCRIPTION: Proposed zone change from H2 to MD for a five warehouses totaling +/- 69,600 sq ft on a 6.7 acre parcel

(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]      ALBERT HALIMI  
Property Owner (Signature)\*      Property Owner (Print)

STATE OF California  
COUNTY OF Los Angeles

SUBSCRIBED AND SWORN BEFORE ME ON Aug. 23, 2023 (DATE)

By Albert Halimi

NOTARY PUBLIC: [Signature]

SEE ATTACHED CA  
NOTARY CERTIFICATE

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

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

GOVERNMENT CODE § 8202

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

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

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

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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 23<sup>rd</sup> day of August, 2023  
by Albert Hamuli  
Date Month Year

(1) Albert Hamuli  
(and (2) \_\_\_\_\_),  
Name(s) of Signer(s)

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

Signature [Handwritten Signature]  
Signature of Notary Public



Place Notary Seal and/or Stamp Above

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Land Use Application

Document Date: 08/23/2023 Number of Pages: 1

Signer(s) Other Than Named Above \_\_\_\_\_



5075 CAMERON SUITE H • LAS VEGAS, NV 89118 • (702) 262-6032 • FAX: (702) 262-6150  
[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

Justification Letter

November 2, 2023

Clark County Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89106

PLANNER  
COPY

Subject: **Design Review with Waiver of Development Standards- Located  
Northwest Corner of Arville Street and W. Cougar Avenue  
APN: 177-18- 303-050, 006 & 048**

\* ALSO INCLUDES ZONE CHANGE  
REQUEST TO M-D X

To whom it may concern:

APN(S); 177-18-303-050,006 & 048 are located on the northwest corner of Arville Street and W. Cougar Avenue and are currently three (3) vacant and undeveloped parcels. LMCC is proposing to construct a multi-tenant facility consisting of six (6) grade level buildings (no dock high doors) with a total of +/- 100,120 sq/ft office/warehouse concrete-tilt-up structures. The building wall heights will not exceed 28'-0" above the finished grade with an interior clear height of 20'-0". Currently there is water and sewer in Arville.

We are seeking approval of the following: **Design Review**

1. For the +/- 100,120 sq/ft – 20' clear concrete tilt-up office/warehouse which will be designed and constructed in accordance with Title 30 standards, including an adequate amount of parking, loading zones and landscaping to meet code. No dock doors will be used on this project, all overhead doors will be 12' x 14' grade level access overhead doors only. All overhead doors will be at the rear of the building, concealed from the street, except for Building A.
2. For the grade elevations and cross sections for these buildings being 36" above the finish grade and therefore will require Clark County Public Works approval through the Technical Drainage Study. The west half of the site is a "cut" and the east half of the site is a "fill, there is one area where we exceed 36" above finish grade, and that is on Building D – where the fill elevation is +/- 42" above finish grade. Each building is listed below:
  - Building A is +/- 2.8 feet max above the native grade.
  - Building B is +/- 2.0 feet max above the native grade.
  - Building C is not applicable as it will be +/- at the native grade.
  - **Building D is +/- 3.4 feet max above the native grade.**
  - Building E is not applicable as it will be +/- at the native grade.
  - Building F is +/- 2.9 feet above the native grade.

The following **Waivers of Development Standards** are being requested:

1. The throat depth of the driveway on W. Cougar and Arville from the required 75' per Uniform Standard Drawing 222.1. to 10'-0" and 10'-9" respectively. As a grade level property with no truck docks and adequate parking, we do not believe the standard is necessary on this project in relation to "stacking" issues. We have also



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WWW.LMCONSTRUCTIONCO.COM

met with the staff at Public Works. and they did not object, primarily because we have not positioned any vehicle parking within the vicinity of the driveways as a measure to prevent stacking.

2. Access to a local street, Cougar, where access is not permitted. The project for all intent and purposes fronts Cougar Ave., Arville will not be the primary entrance of the site, as most of the project is oriented towards Cougar Ave. This second access is needed for adequate circulation for the site, for deliveries and to provide better access for the Clark County Fire Department. The access of W. Wigwam Parkway is a crash gate only for the Fire Department Access.
3. Overhead Doors facing the Arville Right of Way per Chapter 30.60, Section 30.60.070 (On Site Loading Requirements) page 30.16-16 – We are hereby requesting approval for the Waiver of Development Standards as these OH doors will not be serving semi-truck access whatsoever, there simply is not enough room on site for large trucks. This is a grade level project only, no dock doors. We will also be providing adequate screening via landscaping (adding trees) and berms for the landscape areas to help screen these OH doors. Additionally, we do not have any customer parking on the west side of Building A (which fronts Arville).
4. The zoning to be changed from RE & H2 to MD. The proposed project will offer Office/Warehouse/Flex space as well as light industry uses. The project is a grade level project with no loading docks designed for small scale commercial uses. This project will offer addition business opportunities to complement the original planned use of CN in the neighborhood. We are asking for approval of this waiver.

ZONE  
CHANGE  
REQUEST  
TO M-D

LMCC does not believe the proposed development creates additional stress on the community and will enable small businesses to locate close to residences, thus reducing traffic in the area. This project will provide a much-needed place of business in this community, providing flexible options with a less intense use. We hereby request approval of the three (4) Design Reviews with Waivers outlined in this letter.

Thank you for your consideration.

Sincerely,

Larry Monkarsh  
L M construction Co., LLC

PLANNER  
COPY

01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

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

**VS-23-0768-BD EQUITIES, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Cougar Avenue, and between Cameron Street and Arville Street and a portion of a right-of-way being Cougar Avenue located between Cameron Street and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

177-18-303-006; 177-18-303-048; 177-18-303-050

**PROPOSED LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The applicant is requesting to vacate all existing patent easements located around APN 177-18-303-006 that will end up outside of the public right-of-way. The 33 foot wide patent easements requested to be vacated are located along the west, north, and east property lines of APN 177-18-303-006. An 8 foot wide portion of a patent easement located along the southern property line outside the future 25 foot wide right-of-way dedication for Cougar Avenue is also requested to be vacated. The applicant is also requesting to vacate 5 feet of the existing right-of-way on Arville Street and Cougar Avenue along the east and south property lines, respectively of APN 177-18-303-048. Finally, the applicant requests to vacate 5 feet of the existing right-of-way on Cougar Avenue along the south property line of APN 177-18-303-050. The right-of-way vacations are necessary to accommodate a detached sidewalk.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Neighborhood Right-of-Way Mixed-Use; Commercial;	C-2	Convenience store with gasoline sales, tire center, Blue Diamond Road
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Neighborhood Commercial	H-2 & R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Shopping center

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-23-700039	A plan amendment to redesignate the land use category from NC (Neighborhood Commercial) to BE (Business Employment) is a companion item on this agenda.
ZC-23-0767	A zone change to reclassify the site to M-D zoning with waivers and a design review for an office/warehouse complex is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue;
- 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 the recordation of this vacation of excess right-of-way 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: BD EQUITIES**

**CONTACT: MIKE BROWN, LM CONSTRUCTION CO., 7115 BERMUDA RD, LAS VEGAS, NV 89119**

**DRAFT**







# VACATION APPLICATION 3A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0768</u> DATE FILED: <u>11/6/23</u> PLANNER ASSIGNED: _____ TABICAC: <u>ENTERPRISE</u> TABICAC DATE: <u>12/13/23</u> PC MEETING DATE: <u>11/24 @ 7:00 PM</u> @ <u>6:00 PM</u> BCC MEETING DATE: <u>2/7/24 @ 9:00 AM</u> FEE: <u>\$875.00</u> COMPANION ITEMS <u>2C-23-0767 &amp; PA-23-700039</u>
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PROPERTY OWNER	NAME: <u>B D Equities llc</u> ADDRESS: <u>16309 Royal Hills Dr</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91436</u> TELEPHONE: <u>818-653-1129</u> CELL: <u>818-653-1129</u> E-MAIL: <u>albert.halimi@gmail.com</u>
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APPLICANT	NAME: <u>B D Equities llc</u> ADDRESS: <u>16309 Royal Hills Dr</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91436</u> TELEPHONE: <u>818-653-1129</u> CELL: <u>818-653-1129</u> E-MAIL: <u>albert.halimi@gmail.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Per4mance Engineering llc</u> ADDRESS: <u>4525 W Hacienda Ave. Ste 1</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-569-9770</u> CELL: <u>702-569-9770</u> E-MAIL: <u>rayf@per4mancelv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-18-303-050, 177-18-303-006, & 177-18-303-048  
177-18-303-050, 177-18-303-006, & 177-18-303-048

PROPERTY ADDRESS and/or CROSS STREETS: NWC - Arville St & Cougar Ave  
NWC - Arville St & Cougar Ave

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

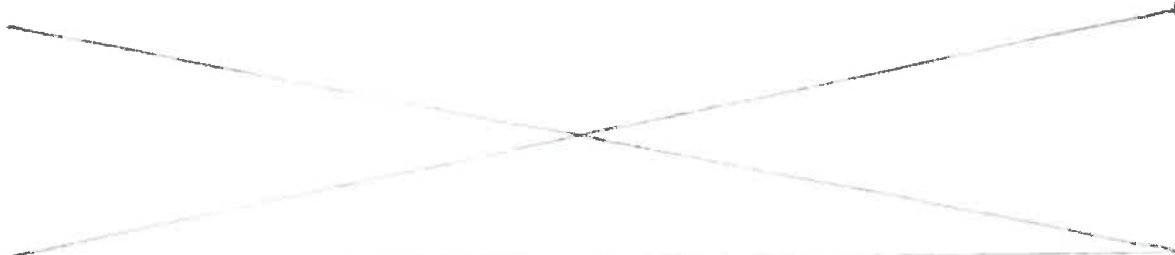
 Property Owner (Signature)* STATE OF <del>NEVADA</del> <u>California</u> <u>OC 8/29/2023</u> COUNTY OF <u>Los Angeles</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>08/29/2023</u> (DATE) By <u>Albert Halimi</u> NOTARY PUBLIC:	<u>Albert Halimi</u> Property Owner (Print) <div style="color: red; font-size: 1.5em; font-weight: bold; margin-top: 20px;">SEE ATTACHED CA NOTARY CERTIFICATE</div>
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**\*NOTE:** Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

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



Signature of Document Signer No 1

Signature of Document Signer No 2 (if any)

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

State of California

County of

Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 29<sup>th</sup> day of August, 2023  
 by Date Month Year

(1) Albert Halimi

(and (2) \_\_\_\_\_).  
Name(s) of Signer(s)

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

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above



**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Vacation Application

Document Date: 08/29/2023

Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_



VS-23-0766

September 25, 2023

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

**Re: Cougar Business Park - Vacation of Patent Easements and Public Right-of-Way  
(APN(s): 177-18-303-006, 177-18-303-048, & 050)**

Dear Planner,

Per4mance Engineering, LLC. on behalf of the applicant, BD Equities, llc., respectfully submits this justification letter in support of the Vacation application for the subject development. The request is to vacate all existing patent easements located along the project boundary lines (specifically around APN 177-18-303-006) that will end up outside public right of way.

The 33-ft patent easements are located along the west, north, and east property lines. The entire 33-ft patent easement along the west, north, and south property lines are being requested to be vacated at this time while only the 8-ft outside the future public right of way dedication (25-ft from center line to property line) will be vacated along the southern property line. Please refer to the enclosed exhibits for exact location.

5-ft Public Right-of-way along Arville Street and portions of Cougar Avenue will be vacated as required in Clark County Development Code when there are detached sidewalks associated with the project.

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

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.  
President

**PLANNER  
COPY**



01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

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

**PA-23-700040-BUFFALO & AGATE, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) on 1.0 acre.

Generally located on the southeast corner of Buffalo Drive and Agate Avenue within Enterprise. JJ/gc (For possible action)

**RELATED INFORMATION:**

**APN:**

176-22-201-029; 176-22-201-030

**EXISTING LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**PROPOSED LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states the request for Corridor Mixed-Use (CM) is appropriate since the site is located along Buffalo Drive, a major arterial street, and the adjacent and abutting properties to the west, southwest, and south are planned for CM uses. The property to the east is planned for Neighborhood Commercial (NC) and would act as a transition to the properties farther east. The property to the north is undeveloped and owned by the Bureau of Land Management, and therefore, would not likely be developed soon. The proposed amendment will not have substantial or undue adverse effects on adjacent properties and the site will be adequately served by public improvements, facilities, and services.

**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)	R-E (RNP-I)	Undeveloped
South	Corridor Mixed-Use	U-V	Mixed-use development

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Neighborhood Commercial	R-E (RNP-1)	Single family residential
West	Corridor Mixed-Use	R-E	Single family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0773	Zone change to reclassify the site from R-E to C-2 zoning, with a use permit for a kennel, waivers of development standards to reduce parking and driveway throat depth, and design reviews for a kennel and alternative parking lot landscaping is a companion item on this agenda.
VS-23-0774	A request to vacate and abandon for patent easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM). Intended primary land uses in the proposed CM land use designation include a mix of retail, restaurants, offices, service commercial, entertainment, and other professional services. Supporting land uses include moderate density multiple family residential dwellings, as well as public facilities such as civic and government uses, plazas, pocket parks, places of assembly, schools, libraries, and other complementary uses.

The adjacent and abutting properties to the west, southwest, and south are designated as Corridor Mixed-Use (CM) in the Master Plan, and the request to CM for the subject site would be an extension of that use designation. Although the adjacent property to the east is developed with a single family residence, the property is planned for Neighborhood Commercial (NC) uses, which would be a natural transition to the properties farther east planned for Low-Intensity Suburban Neighborhood (LN) (up to 5 du/ac) uses. The abutting property to the north is planned for Ranch Estate Neighborhood (RN) (up to 2 du/ac) use, but is undeveloped, owned by the BLM, and

separated from the site by Agate Avenue. The relationship between the proposed CM on the subject site and the RN to the north is similar to the existing relationship between the CM and RN that exists on the west side of Buffalo Drive. The request complies with Policy 1.3.3 of the Master Plan which encourages the integration of grocery stores, restaurants, medical offices, and other daily needs services as part of or adjacent to neighborhoods to minimize the need for longer vehicle trips. For these reasons, staff finds the request for the CM land use category is appropriate for this location.

**Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action February 7, 2024 at 9:00 a.m., unless otherwise announced.

If this request is adopted, 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.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** BUFFALO & AGATE, LLC

**CONTACT:** DIONICIO GORDILLO, DG CONSULTANTS, 204 BELLE ISLE COURT,  
HENDERSON, NV 89012

# Planned Land Use Amendment PA-23-700040



**Current**



**Requested**

**Neighborhoods**

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

**Employment**

- Business Employment (BE)
- Industrial Employment (IE)

**Commercial and Mixed Use**

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

- Planning Areas

Requested Area To Change

DRAFT

Enterprise  
Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*





# MASTER PLAN AMENDMENT APPLICATION 4A

## DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

<b>APPLICATION TYPE</b>	APP. NUMBER: <u>PA23-700040</u>	DATE FILED: <u>11-7-23</u>
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>1-2-24</u> BCC MEETING DATE: <u>2-7-24</u> TRAILS? Yes <input type="checkbox"/> No <input type="checkbox"/> FEE: <u>\$2,700</u>	TAB/CAC MTG DATE: <u>12-13-23</u>

<b>PROPERTY OWNER</b>	NAME: <u>Buffalo &amp; Agate, LLC</u> ADDRESS: <u>6050 W. Lone Mountain Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>(702) 695-9944</u> CELL: <u>(702) 595-9944</u> E-MAIL: <u>daniel@tailsresorts.com</u> REF CONTACT ID #: <u>N/A</u>
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<b>APPLICANT</b>	NAME: <u>Buffalo &amp; Agate, LLC</u> ADDRESS: <u>6050 W. Lone Mountain Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>
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<b>CORRESPONDENT</b>	NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>
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ASSESSOR'S PARCEL NUMBER(S): 176-22-201-029 & 030

CURRENT LAND USE PLAN DESIGNATION: Neighborhood Commercial (NC)

REQUESTED LAND USE PLAN DESIGNATION: Corridor Mixed-Use (CM)

PROPERTY ADDRESS and/or CROSS STREETS: SEC Buffalo Drive and Agate Avenue

(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)\*      Daniel Crowe Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 14, 2022 (DATE)  
 By Daniel Crowe  
 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.

November 5, 2022

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

PA-23-20040

**RE: Master Plan Amendment to Corridor Mixed-Use (CM) (APN: 176-22-201-029 & 030)**

On behalf of Buffalo & Agate, LLC, we are requesting a master plan amendment from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) for the purpose of rezoning the property to C-2 zoning. The C-2 (General Commercial) District is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The subject site is 0.99 acres, zoned R-E, and located on the south side of Agate Avenue and the east side of Buffalo Drive.

Corridor Mixed-Use (CM) provides for primary land uses that are a mix of retail, restaurants, offices, service commercial, entertainment, and other professional services. The category also provides for supporting land uses that may consist of complementary uses. This request is accompanied by a land use application with a specific project for a Pet Resort for a dog daycare and boarding facility. The intended use is a prime example of a complementary use that will support any nearby commercial and residential uses.

The context of the site's location justifies this request. The site is surrounded by Corridor Mixed-Use (CM) so the south, southwest, and west. The property is on Buffalo Drive, which is an arterial street with corresponding traffic generation. Immediately to the northwest, on the NWC of Buffalo Drive and Agate Avenue, is a horse boarding facility that has existed there for many years. The property to the east is planned for Neighborhood Commercial (NC) and would function as a transitional use since the only site access is Agate Avenue. Our only access will be Buffalo Drive and will eliminate any traffic impacts in residential areas that are planned to the north. Agate Avenue will also function as an appropriate transitional space between our proposed development and planned residential uses. The property directly to the north is undeveloped and owned by BLM and would not likely be developed soon. Finally, Corridor Mixed-Use at this location will provide for functional commercial nodal development when taken with the other planned Corridor Mixed-Use. Therefore, the request is entirely consistent and compatible with the immediate area.

The request is entirely consistent with key considerations for CM such as multimodal connectivity, compatibility with existing neighborhoods, building design, and site design. The request is also compliant and consistent with multiple goals and policies contained within the Clark County Master Plan. Goal EN-4 which furthers improving multimodal connectivity in Enterprise in conjunction with future growth. The request is compliant and furthers Policy EN-6.5 which promotes the efficient use of public services and facilities while minimizing costs of service extension and maintenance paid by the service provider and the County by encouraging contiguous development where possible. Policy EN-6.6 which encourages development in areas already served by the County and service providers to the maximum extent feasible.

Therefore, the proposed land use category will achieve the following: a) the proposed amendment is in harmony with the purpose, goals, policy statements, and objectives of the Clark County Master Plan and Title 30; b) the proposed amendment will not have substantial or undue adverse effects on adjacent

## D G Consultants

properties, character of the area, traffic conditions, public improvements, general prosperity, or other matters affecting the public health, safety, and general welfare; and c) the proposed amendment will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,

*Dionian Smith*

**PLANNING COMMISSION ALA**  
**November 7, 2023, Planning Commission Meeting**

**WITHDRAWN without prejudice per the applicant.**

- #22 – SC-23-0623 - DANE/WINCHESTER

**HOLD to the 11/21/2023 Planning Commission Meeting per Commissioner Frasier due to applicant no show.**

- #25 – UC-23-0605 – JENNIFER/SUNRISE MANOR

**HOLD to the 11/21/2023 Planning Commission Meeting per Commissioner Kirk**

- #26 – UC-23-0641 – MARK/SUNRISE MANOR

**HOLD to the 11/21/2023 Planning Commission Meeting per the applicant. These items will be forwarded to the 12/06/2023 Board of County Commissioners Meeting.**

- #30 – PA-23-700016 - GREG/SPRING VALLEY
- #31 – ZC-23-0288 - MARK/SPRING VALLEY
- #35 – PA-23-700028 - GREG/ENTERPRISE
- #36 – ZC-23-0610 - ROB/ENTERPRISE
- #37 – PA-23-700029 - GREG/ENTERPRISE
- #38 – ZC-23-0611 - ROB/ENTERPRISE
- #39 – VS-23-0612 - ROB/ENTERPRISE

**HOLD to the 11/21/2023 Planning Commission Meeting per the applicant. These items will be moved from the 12/6/23 BCC meeting date and forwarded to the 12/20/2023 Board of County Commissioners Meeting.**

- #32 – PA-23-700026 - GREG/ENTERPRISE
- #33 – ZC-23-0565 - RICH/ENTERPRISE
- #34 – VS-23-0566 - RICH/ENTERPRISE

**HOLD to the 01/16/2024 Planning Commission Meeting per the applicant.**

- #24 – UC-23-0456 - Re-notification fees apply. - HUNTER/SUNRISE MANOR



11/8/2023

**Jillee Opiniano-Rowland**  
**Principal Planner**



01/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0773-CROWE, NANCY D SEPARATE PROPERTY TRUST:**

**ZONE CHANGE** to reclassify 1.0 acre from R-E (Rural Estate Residential) (RNP-1) Zone to C-2 (General Commercial) Zone.

**USE PERMIT** for a kennel (dog boarding and daycare).

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

**DESIGN REVIEWS** for the following: 1) a kennel (dog boarding and daycare); and 2) alternative parking lot landscaping.

Generally located on the east side of Buffalo Drive and the south side of Agate Avenue within Enterprise (description on file). JJ/jot/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-201-029; 176-22-201-030

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 30 parking spaces where 68 parking spaces are required per Chapter 30.60 (a 56% reduction).
2. Reduce the driveway throat depth to 18.5 feet where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 26% reduction).

**LAND USE PLAN:**

ENTERPRISE – CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1
- Project Type: Kennel (dog boarding and daycare)
- Number of Stories: 1
- Building Height (feet): 23 feet, 2 inches
- Square Feet: 16,882
- Parking Analysis: 30 (provided)/68 (required)/20 (per parking analysis drafted by applicant's engineer)

### Site Plan & Request

The submitted plan shows a proposed kennel (dog boarding and daycare) facility located on the northern parcel (176-22-201-029). The southern parcel includes customer/employee parking, a trash enclosure, and access to the facility via a driveway on the southwest corner of parcel 176-22-201-030. This facility is located on the southeast corner of Agate Avenue and Buffalo Drive.

The applicant is requesting to reclassify this site from R-E zoning to C-2 zoning. A waiver of development standards includes a parking reduction to 30 parking spaces where 68 parking spaces are required per Title 30. The applicant submitted a parking study depicting that 20 parking spaces are recommended for this type of establishment. The applicant is also requesting to reduce the proposed driveway throat depth to 18.5 feet where 25 feet is required per Uniform Standard Drawing 222.1. In addition to a design review for the site, a second design review for alternative parking lot landscaping is required since there is 1 landscape finger island missing within the row of parking spaces south of the proposed building.

### Landscaping

The landscape plan depicts detached sidewalks along the west property line adjacent to Buffalo Drive, and along the north property line adjacent to Agate Avenue. Trees and shrubs will be planted throughout the site, including the parking lot. The applicant is proposing a 10 foot wide intense landscape buffer with a staggered double row of trees along the east property line adjacent to an existing single family residence. The south property line also includes an intense landscape buffer adjacent to an existing mixed-use development. The applicant will plant 24 inch box trees with tree types that comply with the Southern Nevada Water Authority SNWA Plant List; these tree types are the following: Silver Dollar Gum, Holly Oak, Desert Museum Palo Verde, Chilean Mesquite, and Shoestring Acacia. There are 8 different types of shrubs proposed on the landscape plan which also comply with the SNWA Plant List. A design review for alternative landscaping is a part of this application since there is a sufficient amount of trees throughout the site, but there is 1 landscape finger island missing south of the proposed building.

### Elevations

The overall height of the proposed building is 23 feet, 2 inches. The exterior finishes of the building include stucco, custom limestone wall finishes, aluminum storefront and window systems, shiplap Hardie board siding, and a metal awning.

### Floor Plans

The floor plans include the following spaces: reception area, preparation room, offices, conference and breakroom, boarding areas, grooming areas, restrooms, and indoor dog runs are located on the east half of the building. There will not be any outdoor kennels.

### Applicant's Justification

The request for C-2 zoning is for a dog daycare facility that will consist of an indoor boarding facility with ancillary uses. The proposed use is less intense than most of the full range of uses allowed in C-2 zoning. Additionally, consistent with Title 30, all kennels will be indoors. The building itself will have sound attenuating insulation in the walls and ceiling. The current proposed use does not fall under any other category more consistent with the actual low intensity use. With a combination of rules and procedures for drop-off and pick-up, transitional space, screening and

buffering, employee training, and limited hours of operation, the proposed use will not have any adverse impact on the immediate area. The proposed hours, which are consistent with the existing facility in the City of Las Vegas are as follows: Monday through Friday 6:30 a.m. to 7:00 p.m.; Saturday 8:00 a.m. to 6:00 p.m.; and Sunday 9:00 a.m. to 5:00 p.m. As part of this submittal, the applicant provided a parking analysis from a licensed engineer that provided empirical data and justification that the provided 30 parking spaces are sufficient for this proposed facility. Another mitigating factor is a strict adherence to rules and procedures for drop-off and pick-up. They are only done with appointments which provides for an even spread of required parking throughout the day.

With regards to the reduced throat depth to 18.5 feet, plans show that the proposed throat depth is on the egress side of the driveway. The ingress side of the driveway complies with the standard. Finally, no full turn movements are allowed from the proposed driveway; therefore, there will only be right-in/right-out for the driveway. The alternative standard will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South	Corridor Mixed-Use	U-V	Mixed use development
East	Neighborhood Commercial	R-E (RNP-I)	Single family residential
West	Corridor Mixed-Use	R-E	Single family residential

This site is in the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-23-700040	A plan amendment request to redesignate the land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) is a companion item on this agenda.
VS-23-0774	A request to vacate and abandon patent easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Zone Change

The applicant is requesting to reclassify the site from R-E zoning to C-2 zoning. The existing zoning districts to the south and southwest are C-2 (General Commercial) and U-V (Urban Village). Immediately to the south is a mixed-use development which consists of an existing mini-warehouse establishment and an existing multiple family complex. In addition, there are existing

commercial centers to the southwest of the applicant's site, along Blue Diamond Road. Staff finds that reclassifying the site to C-2 zoning is compatible with most of the surrounding zoning districts, since typical uses within C-2 zoning districts include a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the community. For these reasons, staff finds the request for the C-2 (General Commercial) Zone is appropriate for this location.

#### Use Permit

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed kennel (dog boarding and daycare) is a beneficial establishment for community members. Staff does not foresee any negative impacts from the use.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The applicant is requesting to reduce the required parking to 30 parking spaces where 68 parking spaces are required per Code. The business model of this establishment relies on an appointment system for drop-off and pick-up timeframes. Staff finds that most kennels do not utilize an extreme number of parking spaces at once. The applicant also provided a parking analysis conducted by a licensed engineer, and it was determined that 30 parking spaces would be sufficient. Staff finds that the parking reduction should not create a negative impact to the site or area since customers are primarily dropping-off and picking-up their dogs; therefore, parking spaces will be occupied for a short time period.

#### Design Reviews #1 and #2

The proposed single story building is below the maximum height allowed, and also meets the building setbacks from the property line. The applicant states that all business and animal related activities such as the dog run are indoors and will not impact the existing residence to the east. The plans show a modern and aesthetically pleasing building with complimentary landscaping which surrounds the site. Staff finds that overall schematic design of the site including the intense landscape buffer to the east and south renders staff's support of both design reviews.

#### **Public Works – Development Review**

#### Waiver of Development Standards #2

Staff can support the request to reduce the throat depth for the driveway on Buffalo Drive as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.



**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 7, 2024 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning,
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area,
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**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 #0422-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: BUFFALO & AGATE, LLC**  
**CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012**

**DRAFT**



# LAND USE APPLICATION 5A

## 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 (ZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>ZC-23-0713</u>      DATE FILED: <u>11/7/23</u></p> <p>PLANNER ASSIGNED: <u>JDR</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>12/13/23</u></p> <p>PC MEETING DATE: <u>Jan 2, 2024</u></p> <p>BCC MEETING DATE: <u>Feb 7, 2024</u></p> <p>FEE: _____</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Buffalo &amp; Agate, LLC</u></p> <p>ADDRESS: <u>6050 W. Lone Mountain Road</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89130</u></p> <p>TELEPHONE: <u>(702) 595-9944</u>      CELL: <u>(702) 595-9944</u></p> <p>E-MAIL: <u>daniel@tailsresorts.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Buffalo &amp; Agate, LLC</u></p> <p>ADDRESS: <u>6050 W. Lone Mountain Road</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89130</u></p> <p>TELEPHONE: <u>(702) 379-6601</u>      CELL: <u>(702) 379-6601</u></p> <p>E-MAIL: <u>dgordillo@cox.net</u>      REF CONTACT ID #: <u>N/A</u></p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Dionicio Gordillo, DG Consultants</u></p> <p>ADDRESS: <u>204 Belle Isle Ct.</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89012</u></p> <p>TELEPHONE: <u>(702) 379-6601</u>      CELL: <u>(702) 379-6601</u></p> <p>E-MAIL: <u>dgordillo@cox.net</u>      REF CONTACT ID #: <u>191488</u></p>

**ASSESSOR'S PARCEL NUMBER(S):** 176-22-201-029 & 030

**PROPERTY ADDRESS and/or CROSS STREETS:** SEC Buffalo Drive and Agate Avenue

**PROJECT DESCRIPTION:** Tails Pet Resort for a dog daycare and boarding facility

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clerk 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 Clerk 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.

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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 14, 2022 (DATE)

By Daniel Crowe  
 NOTARY PUBLIC: Rachel Alston



\*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.

JL

ZC-23-0773

January 25, 2023

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

**RE: REVISED - Zone Boundary Amendment, Special Use Permit, Waivers of Development Standards, and Design Review – Tails Pet Resort for a dog daycare and boarding facility (APN: 176-22-201-029 and 030)**

On behalf of Buffalo & Agate, LLC, we are requesting a zone boundary amendment (zone change) to C-2 zone, special use permit, waivers of development standards, and design review for a dog daycare facility that will consist of an indoor boarding facility. The C-2 (General Commercial) District is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The subject site is 0.99 acres, zoned R-E, and located on the south side of Agate Avenue and the east side of Buffalo Drive.

The proposed uses are either permitted by right or with a special use permit in a C-2 zoning district. Based on the attached site plan with corresponding setbacks, screening and buffering, limited access point on Buffalo Drive, and sound attenuating building insulation, the proposed use is entirely consistent with the intent of the C-2 zoning district with no impacts on adjacent or contiguous properties. The project complies with several Goals and Policies contained within the Clark County Master Plan.

**Zone Boundary Amendment**

The request for C-2 is for a dog daycare facility that will consist of an indoor boarding facility with ancillary uses including limited outdoor play runs and limited hours of operation. The proposed use is less intense than most of the full range of uses allowed in C-2.

The context of the site’s location justifies this request. The site immediately adjacent to the south is zoned U-V and the property contiguous to the southwest is zoned C-2. The properties to the south and west are also planned for Corridor Mixed-Use which allow for C-2 zoning. The property is on Buffalo Drive, which is an arterial street with corresponding traffic generation. Immediately to the northwest, on the NWC of Buffalo Drive and Agate Avenue, is a horse boarding facility that has existed there for many years. The property to the east is planned for Neighborhood Commercial (NC) and would function as a transitional use since the only site access is Agate Avenue. Our only access will be Buffalo Drive and will eliminate any traffic impacts in residential areas that are planned to the north. Agate Avenue will also function as an appropriate transitional space between our proposed development and planned residential uses. The property directly to the north is undeveloped and owned by BLM and would not likely be developed soon. Finally, C-2 zoning at this location will provide for functional commercial nodal development when taken with the other planned Corridor Mixed-Use. Therefore, the request is entirely consistent and compatible with the immediate area.

The request is entirely consistent with key considerations for CM such as multimodal connectivity, compatibility with existing neighborhoods, building design, and site design. The request is also compliant and consistent with multiple goals and policies contained within the Clark County Master Plan. Goal EN-4 which furthers improving multimodal connectivity in Enterprise in conjunction with future growth. The

request is compliant and furthers Policy EN-6.5 which promotes the efficient use of public services and facilities while minimizing costs of service extension and maintenance paid by the service provider and the County by encouraging contiguous development where possible. Policy EN-6.6 which encourages development in areas already served by the County and service providers to the maximum extent feasible.

### **Special Use Permit**

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

Since the proposed use is a dog daycare with overnight boarding, under the current Development Code the applicant is required to request a kennel. Even though the requested use of a kennel requires a special use permit in C-2 zoning, the use is not a traditional or common kennel since the pets are not kept on-premise indefinitely. Additionally, consistent with Title 30, all kennels will be indoors. The building itself will have sound attenuating insulation in the walls and ceiling. The current proposed use does not fall under any other category more consistent with the actual low intensity use. Like veterinary hospitals that board animals overnight which are also not a traditional kennel.

The applicant owns and operates an almost identical daycare and boarding facility in the City of Las Vegas that is surrounded by existing residences on two property sides and the use is actually low intensity as opposed to a typical kennel. With a combination of rules and procedures for drop off and pick up, transitional space, screening and buffering, employee training, and limited hours of operation, the proposed use will not have any adverse impact on the immediate area. The proposed hours, which are consistent with the existing facility in the City of Las Vegas are as follows: 1) Monday through Friday 6:30 a.m. to 7:00 p.m.; 2) Saturday 8:00 a.m. to 6:00 p.m.; and 3) Sunday 9:00 a.m. to 5:00 p.m.

### **Waivers of Development Standards**

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver #1 request is for reduced parking. Whether it be parking or traffic, a dog daycare and boarding facility does not have a specific standard and falls under a generalized category/use which requires 1 parking space per 4,000 square feet of gross building area. That is the same parking standard as a retail use. Using the generalized category, the proposed facility would be required to provide 68 parking spaces. Therefore, the request is to provide 30 parking spaces where 68 spaces are required or a 56% parking reduction.

The closest parking standard is for equine boarding facilities which is 1 parking space per 3 boarding stalls. If we were to apply the equine boarding facility, we would be required to provide 36 spaces. However, since we fall under the category of a kennel which is typically located within industrial areas, the standard

parking for industrial buildings is 2 parking spaces per 1,000 square feet of building area. If we apply that parking standard, we would be required to provide 34 parking spaces. As part of this submittal, we have provided a parking analysis from a licensed engineer that provides empirical data and justification that the provided 30 parking spaces is sufficient for this proposed facility. Another mitigating factor is a strict adherence to rules and procedures for drop off and pick up. They are only done with appointments which provides for an even spread of required parking throughout the day.

Waiver #2 request is for alternative driveway geometrics for a reduced throat depth of 18.5 feet. The required throat depth per Uniform Standard Drawing 222.1 is 25 feet. The proposed throat depth is on the egress side of the driveway and therefore will not have any adverse impact on vehicles that could queue in the right-of-way. The ingress side of the driveway complies with the standard. Finally, it is our understanding that no full turn movements are allowed from the proposed driveway and therefore will only right right-in/right-out for the proposed driveway. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

### **Design Review**

The applicant is requesting a design review for the following: 1) site and building design; and 2) alternative parking lot landscaping. The submitted site plan depicts an effective layout of the buildings, parking areas, circulation, and proper screening. The streetscapes will comply with required street landscaping of 15 feet with a detached sidewalk along Buffalo Drive and Agate Avenue.

The elevations for the proposed buildings consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands, reveal lines, and other unique and modern materials and features. The architectural detailing is provided on all sides consistent with the primary/front elevation.

Design Review #2 is for alternative parking lot landscaping. While the lot landscaping doesn't comply with the options provided for in Title 30, there are sufficient amount of trees throughout the site to provide for a mitigation of noncompliance. There are parking spaces south of the building that are missing landscaping islands.

Therefore, the proposed use 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,



01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

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

**VS-23-0774-CROWE, NANCY D. SEPARATE PROPERTY TRUST:**

**VACATE AND ABANDON** easements of interest to Clark County located between Agate Avenue and Blue Diamond Road, and between Buffalo Drive and Jerlyn Street (alignment), and a portion of a right-of-way being Agate Avenue located between Buffalo Drive and Jerlyn Street (alignment), and a portion of right-of-way being Buffalo Drive located between Agate Avenue and Blue Diamond Road within Enterprise (description on file). JJ/jor/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

176-22-201-029; 176-22-201-030

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The applicant is requesting to vacate patent easements along the north property line of parcel 176-22-201-029, and south property line of parcel 176-22-201-030. In addition, 5 feet of a portion of right-of-way being Buffalo Drive and Agate Avenue will be vacated to accommodate detached sidewalks. Vacating the patent easements are necessary since they are no longer needed.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South	Corridor Mixed-Use	U-V	Mixed use development
East	Neighborhood Commercial	R-E (RNP-I)	Single family residential
West	Corridor Mixed-Use	R-E	Single family residential

This site is in the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0773	Zone change to reclassify the site from R-E to C-2 zoning, with a use permit for a kennel, waivers of development standards to reduce parking and driveway throat depth, and design reviews for a kennel and alternative parking lot landscaping is a companion item on this agenda.

Application Number	Request
PA-23-700040	A plan amendment request to redesignate the land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

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

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

- No objection.



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

**APPLICANT:** BUFFALO & AGATE, LLC  
**CONTACT:** DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012

DRAFT





# VACATION APPLICATION 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0774</u>	DATE FILED: <u>11/7/23</u>
		PLANNER ASSIGNED: <u>CDL</u>	TAB/CAC DATE: <u>12/13/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs)		TAB/CAC: <u>Comprehensive</u>	
<input checked="" type="checkbox"/> EASEMENT(S)		PC MEETING DATE: <u>Jan. 2, 2024</u>	
<input checked="" type="checkbox"/> RIGHT(S)-OF-WAY		BCC MEETING DATE: <u>Feb 7, 2024</u>	
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		FEE: _____	

<b>PROPERTY OWNER</b>	NAME: <u>Buffalo &amp; Agate, LLC</u>
	ADDRESS: <u>6050 W. Lone Mountain Road</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>(702) 595-9944</u> CELL: <u>(702) 595-9944</u>
	E-MAIL: <u>daniel@tailsresorts.com</u>

<b>APPLICANT</b>	NAME: <u>Buffalo &amp; Agate, LLC</u>
	ADDRESS: <u>6050 W. Lone Mountain Road</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u>
	TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u>
	E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>N/A</u>

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

ASSESSOR'S PARCEL NUMBER(S): 176-22-201-029 & 030

PROPERTY ADDRESS and/or CROSS STREETS: SEC Buffalo Drive and Agate Avenue

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

[Signature]  
Property Owner (Signature)\*

Daniel Crowe  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON November 14, 2022 (DATE)  
By Daniel Crowe  
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.



11700 W. CHARLESTON BLVD.  
SUITE #170-298  
LAS VEGAS, NV 89135  
JMCCAY@CENTURYLINK.NET  
(702) 860-3897

Date: June 15, 2023

VS-23-0774  
JL

**Clark County**  
Public Works Land Use Application Team  
500 S. Grand Central Pkwy  
Las Vegas, NV 89155

**RE: Justification Letter for Vacation of Right of Way and Patent Easements**  
**Tails Pet Resort @ SEC Buffalo & Agate**  
Job No. 22429

To whom it may concern:

I am writing on behalf of Buffalo and Agate, LLC in support of applications for a vacation of Right of Way of Assessor Parcel Numbers 176-22-201-029 & 030.

Current ROW dedications for Buffalo are 50.00'. The County standard development of a 100' ROW is to dedicate to the back of curb, in lieu of the back of sidewalk. Therefore, a vacation of 5.00' is necessary to place the edge of ROW at the back of curb as there will be a detached sidewalk. In addition, the same condition exists along Agate, where 30' is dedicated and vacating 5' to have the ROW lie at the proposed back of curb.

Additionally, there are existing patent easements along the north and south property lines that must be vacated. They are 33 feet and 5 feet in width.

If you have any questions or comments, feel free to contact me at our office.

Best wishes,  
MCCAY ENGINEERING

Jeremy S. McCay, P.E.  
Principal

01/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0749-SILVERSTONE PROPERTIES LLC:**

**VACATE AND ABANDON** a portion of a right-of-way being Rainbow Boulevard located between Raven Avenue and Blue Diamond Road within Enterprise (description on file). JJ/jud/syp (For possible action)

RELATED INFORMATION:

**APN:**

176-22-501-021

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

The request is to vacate 5 feet of right-of-way along the east property boundary of APN 176-22-501-021 along Rainbow Boulevard. The proposed vacation will facilitate the development of a detached sidewalk along the property frontage.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0107-12	Request for a vehicle wash and remodeled convenience store & gasoline pumps	Approved by PC	May 2012

**Surrounding Land Use**

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

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-23-500159	A request for a 1 lot commercial subdivision is a companion item on this agenda.
WS-23-750	A request to provide an alternative sidewalk along Raven Avenue is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SILVERSTONE PROPERTIES LLC

**CONTACT:** VTN-NEVADA, 2727 SOUTH RAINBOW BOULEVARD, LAS VEGAS, NV  
89146

**DRAFT**







# VACATION APPLICATION

# 7A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0749</u>	DATE FILED: <u>10/26/23</u>
		PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u>	TAB/CAC DATE: <u>12/13</u>
		PC MEETING DATE: <u>01/02</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875</u>	

# PLANNER COPY

<b>PROPERTY OWNER</b>	NAME: <u>SILVERSTONE PROPERTIES LLC</u>
	ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89144</u>
	TELEPHONE: <u>(702) 331-9080</u> CELL: _____
	E-MAIL: <u>nschmidt@eabinv.com</u>

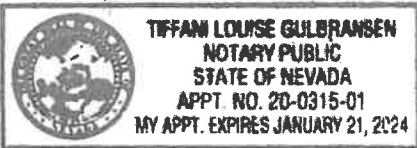
<b>APPLICANT</b>	NAME: <u>SILVERSTONE PROPERTIES LLC</u>
	ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89144</u>
	TELEPHONE: <u>(702) 331-9080</u> CELL: _____
	E-MAIL: <u>nschmidt@eabinv.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u>
	ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89146</u>
	TELEPHONE: <u>(702)873-7550</u> CELL: _____
	E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-22-501-021  
176-22-501-021

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW BOULEVARD & RAVEN AVENUE  
RAINBOW BOULEVARD & RAVEN AVENUE

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.

_____ <b>Property Owner (Signature)*</b> STATE OF NEVADA COUNTY OF <u>Clark</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>August 28, 2023</u> (DATE) By <u>Ernest A. Becker III</u> NOTARY PUBLIC: <u>Tiffany Louise Gulbransen</u>	<u>Ernest A. Becker III</u> <b>Property Owner (Print)</b> 
--	--

\*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.



VS-23-0744  
JL

**CIVIL  
ENGINEERING**

10/3/2023

W.O # 8250

CLARK COUNTY  
**Planning Department**  
500 Grand Canyon Parkway  
Las Vegas, Nevada 89155

Attention: Planning Department

Subject: 1. Vacation (Right of Way)

RE: APN's 176-22-599-010, 011 and 176-22-699-009 - 3.88 Gross Acres

Planning Department:

On behalf of our client Silverstone Properties LLC, VTN Nevada is requesting the approval of a Vacation of public right of way for the above referenced parcels. Silverstone Properties LLC is proposing to develop the subject parcels of land as a 1-lot commercial development with a zoning of C-2 (General Commercial) with land use designations of C-M (Commercial) within the Enterprise Land Use planning area, Commissioner Justin Jones's district.

The proposed commercial development is located west of Rainbow Boulevard and south of Raven Avenue.

**Vacation Request:**

*Request:*

**1. Vacation**

The request is to vacate 5 feet of right of way along the western property boundaries of APN: 176-22-501-021, along Rainbow Boulevard. The proposed vacation will facilitate the development of a detached sidewalk along the property frontage to match the street section established along Rainbow Boulevard.

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,

*Jeffrey Armstrong*  
Jeffrey Armstrong  
Planning Manager

cc: Ken Nicholson. PE, VTN-Nevada

**PUBLIC HEARING**

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

**WS-23-0750-SILVERSTONE PROPERTIES, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to allow an attached sidewalk along Raven Avenue where detached sidewalks are required in conjunction with a 1 lot commercial subdivision on 3.8 acres in a C-2 (General Commercial) Zone.

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

---

**RELATED INFORMATION:**

**APN:**

176-22-501-021

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow an attached sidewalk where detached sidewalks are required (Raven Avenue) per Figure 30.64-17.

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 3.8
- Project Type: Commercial subdivision
- Number of Lots/Units: 1

**Site Plans**

The applicant has submitted plans for an existing commercially zoned property located at the southwest corner of Rainbow Boulevard and Raven Avenue. No development plans have been provided and the waiver of development standards to allow for attached sidewalks is being requested in order for the applicant to submit a commercial subdivision map for recordation. Raven Avenue is a 60 foot right-of-way and currently has an attached sidewalk. The plans submitted show a proposed 5 foot attached sidewalk with proposed landscaping behind the curb. The plans also depict landscaping with detached sidewalk along Rainbow Boulevard and is not subject of a waiver. No development plans have been submitted with this application.

Landscaping

The plans depict street landscaping along both Rainbow Boulevard and Raven Avenue. Rainbow Boulevard depicts a detached sidewalk with landscaping and Raven Avenue with proposed attached sidewalk.

Applicant's Justification

The applicant states Raven Avenue is currently a 60 foot right-of-way with half street improvements along the property frontage. The improvements along the north side of Raven Avenue that is adjacent to an existing residential development known as Cooper Ranch with the northern side of the street currently has half pavement, curbs and gutter, and a 5 foot attached sidewalk. The applicant states that they are requesting this waiver to match the same street section as the northern side; to provide an attached sidewalk at back of curb along the Raven Avenue frontage matching the existing northerly street section. The applicant is proposing to provide any additional pavement needed, curb and gutter an attached 5 foot sidewalk and streetlights.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0107-12	Vehicle wash and remodel of convenience store and gas station - expired	Approved by PC	May 2012

**Surrounding Land Use**

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

This site is located within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

Application Number	Request
VS-23-0749	A request to vacate and abandon a portion of right of way being Rainbow Boulevard is a companion item on this agenda.
TM-23-500159	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

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

Code requires detached sidewalks with a landscape buffer to be provided along streets to ensure safety and aesthetic standards. Staff finds that the applicant has not provided any justification to eliminate the required detached sidewalk. In addition, the adjacent development to the west and southwest was recently approved as a mixed-use project and will incorporate into their development a total of 15 foot wide pedestrian realm with a detached sidewalk along Raven Avenue. The intent of the Code is to have detached sidewalks with a total of 15 feet of landscape areas, which aims to not only create consistent streetscapes along Raven Avenue, but will enhance the visual appeal of the area along with pedestrian safety measures. Staff cannot support this request.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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

**APPLICANT:** SILVERSTONE PROPERTIES LLC  
**CONTACT:** VTN-NEVADA, 2727 SOUTH RAINBOW BOULEVARD, LAS VEGAS, NV  
89146

DRAFT



# LAND USE APPLICATION 8A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APP

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>US-23-0750</u>      DATE FILED: <u>10/26/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>12/13/23</u></p> <p>PC MEETING DATE: <u>1/02/24</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$475</u></p> <p style="text-align: right; color: red; font-weight: bold; font-size: 1.5em;">PLANNER COPY</p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>SILVERSTONE PROPERTIES LLC</u></p> <p>ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89144</u></p> <p>TELEPHONE: <u>(702)331-9080</u>      CELL: _____</p> <p>E-MAIL: <u>nschmidt@eabinv.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>SILVERSTONE PROPERTIES LLC</u></p> <p>ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89144</u></p> <p>TELEPHONE: <u>(702) 331-9080</u>      CELL: _____</p> <p>E-MAIL: <u>nschmidt@eabinv.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u></p> <p>ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89146</u></p> <p>TELEPHONE: <u>(702)873-7550</u>      CELL: _____</p> <p>E-MAIL: <u>jeffreya@vtnnv.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-22-501-021

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW BOULEVARD and RAVEN AVENUE

PROJECT DESCRIPTION: A 1 LOT COMMERCIAL SUBDIVISION

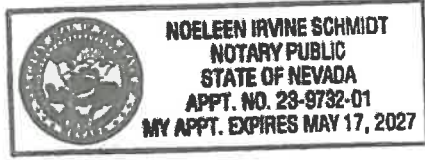
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 26, 2023 (DATE)  
By Noleen Irvine Schmidt

NOTARY PUBLIC: Noleen Irvine Schmidt



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



WS-23-0750  
JL

8/31/2023, Revised 10/10/2023

W.O # 8250

CLARK COUNTY  
Planning Department  
500 Grand Canyon Parkway  
Las Vegas, Nevada 89155  
Attention: Planning Department

Subject: 1. Tentative Map  
2. Waiver of Development Standards

RE: APN's 176-22-501-021 - 3.88 Gross Acres

Planning Department:

On behalf of our client Silverstone Properties LLC, VTN Nevada is requesting the approval of a Tentative Map and Waiver of Development Standards for the above referenced parcels. Silverstone Properties LLC is proposing to develop the subject parcels of land as a 1-lot commercial development with a zoning of C-2 (General Commercial) with land use designations of C-M (Commercial) within the Enterprise Land Use planning area, Commissioner Justin Jones's district.

The proposed commercial development is located west of Rainbow Boulevard and south of Raven Avenue.

**Tentative Map:**

*Request:*

**1. A 1 lot Tentative Map**

The proposed improvements will include public street improvements along the two (2) adjacent streets. No onsite improvements are proposed at this time. Design Review or Site Development Reviews will be submitted for future on-site improvements.

**Waivers of Development Standards**

Title 30.52.120

**Waiver # 1**

- 1. To allow attached sidewalk where detached sidewalks is required (Raven Avenue) per Figure 30.64-17.

**Justification**

Raven Avenue is currently a 60-foot right of way with 1/2 street improvements along the property frontage. The improvements are along the north side of Raven Avenue adjacent to an existing residential development known as Cooper Ranch. The northern side of the street currently has 1/2 pavement, with an over pave, curbs and gutter, and a 5-foot attached sidewalk.



The applicant is requesting to match the same street section as the northern side; to provide an attached sidewalk at back of curb along the Raven Avenue frontage matching the existing northerly street section. The applicant is proposing to provide any additional pavement needed, curb and gutter an attached 5-foot sidewalk and streetlights.

**Section 30.16.100 – Waiver of Development Standards**

1. The applicant for a waiver of development standards shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following:
  - A. The use of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;

**Response**

The requested waivers will not detrimentally affect the adjacent properties in any way. The waivers will allow the applicant to exactly match the existing street section currently construct adjacent to the project on the north and west sides.

- B. The proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will not be materially detrimental to the public welfare;

**Response**

The request waiver will not affect the health and safety of person in the area by provide the uniformity by matching the existing street section on adjacent properties.

- C. The granting of such application shall be in harmony with the general purpose, goals, objectives and standards of the Plan and of this Title, and;

**Response**

The request waiver will not affect the health and safety of person in the area by provide the uniformity by matching the existing street section on adjacent properties.

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

**Response**

The request waiver will not affect the health and safety of person in the area by provide the uniformity by matching the existing street section on adjacent properties.

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,

*Jeffrey Armstrong*  
Jeffrey Armstrong  
Planning Manager

cc: Noeleen Schmidt, Silverston Properties LLC  
Ken Nicholson. PE, VTN-Nevada



**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-23-500159-SILVERSTONE PROPERTIES, LLC:**

**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 3.8 acres in a C-2 (General Commercial) Zone.

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

**RELATED INFORMATION:**

**APN:**  
176-22-501-021

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

**BACKGROUND:**  
**Project Description**  
**General Summary**

- Site Acreage: 3.8
- Project Type: Commercial subdivision
- Number of Lots/Units: 1

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0107-12	Vehicle wash and remodeled convenience store & gasoline pumps	Approved by PC	May 2012

**Surrounding Land Use**

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

This site is located within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-23-0750	A request to provide an alternative sidewalk along Raven Avenue is a companion item on this agenda.
VS-23-0749	A request to vacate and abandon a portion of right-of-way being Rainbow Boulevard is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Comprehensive Planning - Addressing**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SILVERSTONE PROPERTIES LLC

**CONTACT:** VTN-NEVADA, 2727 SOUTH RAINBOW BOULEVARD, LAS VEGAS, NV  
89146

DRAFT





# TENTATIVE MAP 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>TM-23-500159</u> DATE FILED: <u>10/25/23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/13/23</u> PC MEETING DATE: <u>01/02/23</u> BCC MEETING DATE: _____ FEE: <u>\$750</u>

PLANNER  
COPY

<b>PROPERTY OWNER</b>	NAME: <u>SILVERSTONE PROPERTIES LLC</u> ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>(702) 331-9080</u> CELL: _____ E-MAIL: <u>nschmidt@eabinv.com</u>
-----------------------	--

<b>APPLICANT</b>	NAME: <u>SILVERSTONE PROPERTIES LLC</u> ADDRESS: <u>3065 NORTH RANCHO DRIVE, SUITE # 130</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>(702) 331-9080</u> CELL: _____ E-MAIL: <u>nschmidt@eabinv.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>VTN-NEVADA c/o: Jeffrey Armstrong</u> ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702)873-7550</u> CELL: _____ E-MAIL: <u>jeffreya@vtnnv.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-22-501-021

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW BOULEVARD and RAVEN AVENUE

TENTATIVE MAP NAME: RAINBOW-RAVEN

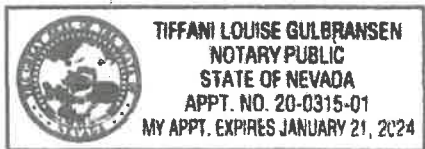
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

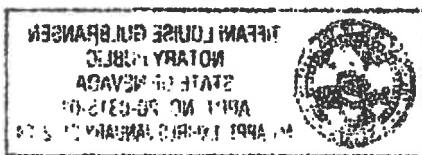
STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 21, 2023 (DATE)

By Ernest A. Becker, TP  
NOTARY PUBLIC: Tiffani Louise Gulbransen



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





01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

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

**WS-23-0756-KEFALE LIVING TRUST & KEFALE NEBEU TRS:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setbacks for an existing accessory structure in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Mount Eden Avenue, 55 feet west of Windsor Oaks Street within Enterprise. JJ/nai/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-14-514-021

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce interior side setback for an accessory structure to 1 foot where 5 feet is required per Table 30.40-2 (an 80% reduction).
- b. Reduce rear setback for an accessory structure to 1 foot where 5 feet is required per Table 30.40-2 (an 80% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6419 Mount Eden Avenue
- Site Acreage: 0.1
- Project Type: Setbacks
- Building Height (feet): 9
- Square Feet: 109 (gazebo)

**Site Plan**

The site plan depicts an existing single family residence on 0.1 acres. The principal dwelling is centrally located on the parcel and the front of the house is facing north towards Mount Eden Avenue. The rear yard includes an existing detached accessory structure (gazebo) approximately 109 square feet and an existing pool, approximately 650 square feet.

The accessory structure is located on the southwest corner of the property in the rear yard. The applicant is requesting to waive the side yard setback and rear yard setback to 1 foot where 5 feet is required for both.

Landscaping

Changes to the existing landscaping or neither proposed or required with this request.

Elevations

The accessory structure is 9 feet tall and is supported by 4 wooden beams with a brown aluminum roof. The accessory structures' material and color matches the principal structure.

Floor Plans

Floor plans are not required for this application.

Applicant's Justification

The applicant states that the gazebo was purchased and placed on the property by the previous homeowners. It is a free-standing structure that is 1 foot away from the side yard and 1 foot away from the rear yard. The applicant states that his 3 children use the gazebo the most. The applicant is requesting to keep the accessory structure and waive the side and rear setbacks.

Prior Land Use Requests

Application Number	Request	Action	Date
VC-0580-12	Increase length of architectural enclosures to 19 feet where 12 feet is the maximum and 2 pop outs along the wall intrudes into setback	Approved by PC	November 2012
WT-0316-09	Extend the time limit for an improvement bond in conjunction with a residential subdivision	Approved by BCC	June 2009
VC-1392-07 (ET-0028-09)	Extension of time to complete the architectural enclosures - expired	Approved by PC	March 2009
VC-1392-07	Increase length of architectural enclosures to 19 feet where 12 feet is the maximum and 2 pop outs along the wall intrudes into setback	Approved by PC	February 2008
WT-0743-07	Extend the time limit for an improvement bond in conjunction with a residential subdivision	Approved by BCC	August 2007
VC-0513-07	Increase single family dwelling to be 38 feet where 35 is required	Approved by PC	June 2007
ET-400016-06 (UC-1984-03 & WT-1985-03)	Extension of time for a use permit to commence compact lots; a variance to reduce side setbacks; and a waiver to increase block length	Approved by PC	February 2006
UC-1984-03 & WT-1985-03	Commence compact lots with a variance to reduce side setbacks and a waiver to increase block length	Approved by PC	January 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid - Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

**Clark County Public Response Office (CCPRO)**  
CE22-28316 is an active zoning violation for setbacks.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Staff can support the request to reduce the rear yard setback to 1 foot and reduce the side yard setback to 1 foot. Although the applicant has an active code violation, reducing the setback does not negatively impact adjacent residential properties.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KEFALE LIVING TRUST & KEFALE NEBEU TRS**  
**CONTACT: NEBEU KEFALE, 6419 MOUNT EDEN AVE, LAS VEGAS, NV 89139**

**DRAFT**



# LAND USE APPLICATION 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b> <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>W9-23-0756</u> DATE FILED: <u>10/30/2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/13/2023</u> PC MEETING DATE: <u>01/02/2023</u> BCC MEETING DATE: <u>X</u> FEE: <u>\$775</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Nebew Kefale</u> ADDRESS: <u>6419 Mount Eden Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702</u> CELL: <u>(702) 488-8285</u> E-MAIL: <u>Neb@SOSLV.US</u>
	<b>APPLICANT</b>	NAME: <u>Nebew Kefale</u> ADDRESS: <u>6419 Mount Eden Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: _____      CELL: <u>(702) 488-8285</u> E-MAIL: <u>Neb@SOSLV.US</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Nebew Kefale</u> ADDRESS: <u>6419 Mount Eden Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: _____      CELL: <u>(702) 488-8285</u> E-MAIL: <u>Neb@SOSLV.US</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17614514021  
 PROPERTY ADDRESS and/or CROSS STREETS: Windsor Ods St & Mount Eden Ave  
 PROJECT DESCRIPTION: luxury for gozibo

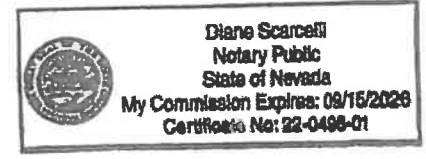
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12-29-23 (DATE)

By \* \* Kefale Nebew Taye \* \*  
 NOTARY PUBLIC: Diane Scarcetti



**\*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.

I am currently exploring the possibility of retaining the gazebo despite not meeting the city's required setback. Unfortunately, the size of my yard prevents me from adhering to this setback regulation. The gazebo, which purchased from Sam's Club by the previous home owners, is a freestanding structure positioned with a 12-inch gap on each side from the fence.

As a single father of three, my children and I frequently utilize the gazebo, and it would be devastating for us to have to remove it. I acquired the property approximately two years ago, and the gazebo was already in place at the time of purchase. Additionally, I should mention that we also have an inflatable bouncy house situated adjacent to the gazebo.

I kindly request that my family be permitted to retain the gazebo, as its absence would greatly inconvenience our family and make it difficult for our three-year-old toddler to enjoy the pool during the summer without adequate shade. I would like to point out that the neighbor who raised concerns about the gazebo does not possess a pool or any plants that could potentially be adversely affected by its presence, as can be observed in the attached picture.

Thank you for your consideration.

  
9/26/23

CIVIL  
ENGINEERING

01/03/24 BCC AGENDA SHEET

**PUBLIC HEARING**

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

**DR-23-0758-BLUE DIAMOND SP LAND, LLC:**

**DESIGN REVIEW** for restaurant buildings with drive-thru services on a 0.9 acre portion of 2.5 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 1,000 feet east of Grand Canyon Drive within Enterprise. JJ/sd/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-19-601-012; 176-19-601-027 ptn

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 0.9 (portion)
- Project Type: Restaurants with drive-thru services
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 4,900
- Parking Required/Provided: 49/50

**Site Plans**

The plans depict a commercial development consisting of 2 restaurants with drive-thru service. Access to the site will be provided from Blue Diamond Road by a shared driveway with the adjacent parcel to the east. The plans also indicate that cross access will be provided with the adjacent parcel to the west. The buildings will be in the southern half parcel, adjacent to Blue Diamond Road. The buildings will be set back 76 feet from the north property line, which is adjacent to a single family residential development. Parking for the restaurants is located to the north of the buildings. The proposed drive-thru call-boxes are located along the south side of both buildings adjacent to Blue Diamond Road with the entrances for the drive-thru lanes on the west sides of the buildings and the exits on the east sides where customers pick up their orders.

**Landscaping**

A minimum 10 foot wide landscape area with large trees are depicted along the north property line adjacent to an existing single family residential development per Figure 30.64-11. A minimum 15 foot wide landscape area consisting of trees, shrubs, and groundcover with a

detached sidewalk is depicted along Blue Diamond Road and along the drive-thru aisles to screen from the right-of-way. Additional landscape areas are located within the parking areas and adjacent to the buildings. The parking lot landscaping is shown in accordance with Figure 30.64-14, with an 8 foot wide planting strip and trees spaced 12 spaces apart maximum. Landscape islands are shown at each end of row parking spaces in accordance with Figure 30.64-14 and do not exceed 12 spaces.

Elevations

The plans depict 2 commercial buildings at 1 story with a height of 22 feet. Each building will have flat rooflines behind parapet walls, which break-up the rooflines. The exterior of the buildings is a combination of a stucco finish painted in earth tone colors, decorative metal panels, stone veneer, and aluminum and glass window and door systems. The buildings will have recesses, pop-outs and awnings to break-up the vertical surfaces of the buildings. Drive-thru windows are located on the east sides of the buildings.

Floor Plans

The plans indicate the buildings will have a total area of 4,900 square feet. The western building will have an area of 2,100 square feet and the eastern building will have an area of 2,800 square feet.

Applicant's Justification

The applicant indicates that the request is in conformance with the Enterprise Land Use Plan. The proposed use of the property is consistent and compatible with planned and approved commercial developments along this portion of Blue Diamond Road.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0931	Reclassified from H-2 to C-2 zoning, with a design review for restaurants with drive-thru and alternative parking lot landscaping - design review expired	Approved by BCC	January 2019

**Surrounding Land Use**

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

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



**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The proposed buildings are of an architectural style that is common for commercial development within the County. The site is designed with the drive-thru call-boxes and pick-up windows on the south and east sides of the buildings, respectively, facing away from the existing residential development to the north, which limits impacts from noise. Likewise, the proposed landscape area along the northern property line will be a landscape buffer with large trees to mitigate the impacts of this site to the existing residential development to the north. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

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

**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 #0420-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MK ARCHITECTURE

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

DRAFT



## LAND USE APPLICATION

# 11A

### DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (Nzc)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>DR-13-078</u>      DATE FILED: <u>10-31-23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>12-13-23</u></p> <p>PC MEETING DATE: <u>1-2-24</u></p> <p>BCC MEETING DATE: <u>N/A</u></p> <p>FEE: <u>850</u></p>
	PROPERTY OWNER	<p>NAME: <u>BLUE DIAMOND SP LAND LLC</u></p> <p>ADDRESS: <u>3399 South Durango Dr, Suite 105</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89117</u></p> <p>TELEPHONE: _____      CELL: <u>702-279-0050</u></p> <p>E-MAIL: <u>stuart.apollo@thelodgevegas.com</u></p>
	APPLICANT	<p>NAME: <u>Majed Khater, MK Architecture LLC</u></p> <p>ADDRESS: <u>50 E Serene Ave Unit 414</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89123</u></p> <p>TELEPHONE: _____      CELL: <u>702-534-8166</u></p> <p>E-MAIL: <u>mk_arch@outlook.com</u>      REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Majed Khater, MK Architecture LLC</u></p> <p>ADDRESS: <u>50 E Serene Ave Unit 414</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89123</u></p> <p>TELEPHONE: _____      CELL: <u>702-534-8166</u></p> <p>E-MAIL: <u>mk_arch@outlook.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-19-601-027

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond Rd and S. Chieftain St

PROJECT DESCRIPTION: Commercial Site Development

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

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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 19, 2023 (DATE)  
 By Nevada Apollo

NOTARY PUBLIC: Brittany



\*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.

DR-23-0758



# MK ARCHITECTURE, LLC

September 25, 2023

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

Re: APR23-100499, Design Review  
Parcel: 176-19-601-027  
Justification Letter

To whom it may concern:

On behalf of our client Blue Diamond SP Land LLC, MK Architecture is respectfully submitting this justification letter for a Design Review for the proposed development on the above-referenced parcel.

**Background:**

The proposed project is a 0.89-acre commercial site, zoned General Commercial (C-2), located on the north side of Blue Diamond Road between S Fort Apache Road and S Grand Canyon Drive, with a planned land use CM (Corridor Mixed-Use). This parcel is adjacent to parcel number 176-19-601-012, which is owned by our client and developed as a tavern (the Lodge at Blue Diamond). This proposed project will utilize the existing driveway access from Blue Diamond Road, and the cross-access easement on the adjacent parcel.

**Project Description:**

ZC-18-0931 was previously approved on this parcel (on January 23, 2019), we are reviving the previously approved plan. Proposing 2 fast food buildings with drive through (building 1, 2,500 square feet, and building 2, 2,100 square feet). As previously approved, we are placing the buildings closer to Blue Diamond Road, the call boxes will be on the southside of the buildings, shielded from the residential area to the north by the building, in addition to the parking area and the landscape buffer.



## **MK ARCHITECTURE, LLC**

We are providing the required 49 parking spaces on site, providing a 10-foot landscape buffer along the northern property line, and 15 feet along Blue Diamond Road (matching the existing landscape buffers on the developed parcel to the east). The exterior building materials and colors will match the existing tavern. The maximum proposed building height will be 22 feet.

We believe this project is a good fit for this property and will enhance the neighborhood by creating new high-quality, architecturally pleasing development in the area, providing needed services and employment opportunities.

Thank you for your consideration, please feel free to contact me should you have any questions or require any additional information.

Thank you.

A handwritten signature in black ink that reads 'Majed Khater'.

Majed Khater, AIA, Architect



01/03/24 BCC AGENDA SHEET

**PUBLIC HEARING**

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

**UC-23-0771-SOUTHERN HIGHLANDS INVEST PTNRS:**

**USE PERMITS** for the following: 1) modified wall height standards; and 2) modified front setback standards.

**WAIVER** to allow modified street improvement standards.

**DESIGN REVIEWS** for the following: 1) detached single family residential development; 2) to allow hammerhead cul-de-sacs; and 3) finished grade on 54.4 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community.

Generally located on the east side of Dectaur Boulevard (alignment) and the south side of Bruner Avenue (alignment) within Enterprise. JJ/hw/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

191-07-211-001

**USE PERMITS:**

1. Increase wall height to 18 feet (6 foot screen wall plus 12 foot retaining wall) where a maximum of 9 feet (6 foot screen wall plus 3 foot retaining wall) is permitted (a 100% increase).
2. Reduce the front setbacks for a detached single family home to 10 feet for up to 50% of the width of the building (living portion only) where 20 feet is required (a 50% reduction).

**WAIVER:**

Increase the length of a dead-end street with a County approved turnaround (main entry access road) to 7,000 feet where 500 feet is the maximum allowed (a 1,300% increase).

**DESIGN REVIEWS:**

1. Detached single family residential development.
2. Permit a hammerhead design turnaround where a radius cul-de-sac is the County's preferred design.
3. Increase finished grade to 267 inches (22.2 feet) where a maximum of 36 inches (3 feet) is the standard (a 642% increase).

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 54.4
- Project Type: Detached single family residential development
- Number of Lots/Units: 190 (lots)/2 (common lots)
- Density (du/ac): 3.5
- Minimum/Maximum Lot Size (square feet): 4,500/9,449
- Number of Stories: 2
- Building Height (feet): 17.1 (minimum)/28.3 (maximum)
- Square Feet: 2,126 (minimum)/3,475 (maximum)

#### Site Plan & History

The site was originally rezoned from an R-E (Rural Estates Residential) zone to an R-2 (Medium Density Residential) zone in December of 2005 during the original establishment of the Southern Highlands Master Planned Community. The subject site was created through the land use entitlements related to the Olympia Ridge development to the east. The subject site has seen 2 attempts to develop the site into a detached single family residential development. The first attempt was in July of 2014 with WT-0472-14 and TM-0080-14, which aimed to create a 230 lot subdivision these applications have since expired. Another attempt to development the site occurred in December of 2018 with UC-18-0773 and TM-18-500181, which aimed to create a 200 lot detached single family residential subdivision. These applications have also since expired, and the applicant is now attempting to develop the site again into a 190 lot detached single family residential development with a similar design to that found in the plans for UC-18-0773 and TM-18-500181.

The current plans depict a proposed detached single family residential development consisting of 190 detached single family residential lots and 2 common element lots on 54.4 acres located on the east side of the Decatur Boulevard alignment and the south side of the Bruner Avenue alignment. The overall density for the proposed development is 3.5 dwelling units per gross acre. The proposed development consists of different lot sizes ranging between 4,500 square feet and 9,449 square feet. The development will be accessed from a 140 foot wide Bureau of Land Management access easement with a 60 foot wide road which connects to Starr Hills Avenue to the north and terminates at the development in a 140 foot wide road with turnaround area. This access road is 7,000 feet in length. The proposed development features a private entry gate with a minimum setback of 100 feet from the west property line adjacent to the main access road to the site. The entry road will be 100 feet wide with 23 feet of landscaping with a 5 foot detached sidewalk on each side of the 54 foot wide private road. An internal network of private streets serve the interior of the development measuring between 42 feet to 54 feet in width. A 5 foot wide attached sidewalk is proposed adjacent to 1 side of the private streets. All common element lots and streets are described as private drainage and utility easements. Parking is provided throughout the site through 2 car garages and driveways for a total of 760 parking spaces provided where 418 parking spaces are required for the development. The plans show that a maximum of fill of 22.2 feet (267 inches) is required on the southwest portion of the site under Lot 108. Additional areas of significant fill are required in the northwest portion of the site under



Lot 12 (19.1 feet), under the street between Lots 179 and 163 in the southeast portion of the site (14 feet), and under the portion of Common Element A in the central portion of the site (16.1 feet). Increased retaining wall heights are required along the perimeter of the site due to the grading and drainage of the site. This is an area of Southern Highlands that has topographical constraints; however, Southern Highlands has a locked in Code under Title 29, which does not have Hillside Development regulations. The waivers of title associated with this request are for modified street improvement. The modifications to the improvement standards occur at various locations throughout the subdivision. Additionally, the request for modified standards to increase the height of walls throughout the development is due to the severe topography of the project site.

### Landscaping

The plans depict 2 common element lots dispersed throughout the interior and perimeter of the proposed residential development. The landscape plans show that various portions of these common element lots will either be formally landscaped or will be revegetated with native plants and shrubs. The revegetation areas are primarily located along the perimeter of the site with a total of 9 areas being revegetated for a total area of 27,070 square feet. The primary material being used in the revegetation areas include landscape rock, Creosote Bush, Mojave Yucca, and Native Cacti. The entry roadway will contain a 23 foot landscape area on each side of the road, consisting of a 10 foot landscape area followed by a 5 foot sidewalk followed by another 8 foot landscape area adjacent to the road. These landscape areas contain Swan Hill Olive (*Olea europaea*) and Desert Willow (*Chilopsis linearis*) trees in 2 rows on each side of the detached sidewalk. The trees are spaced 30 feet apart in each row. The remainder of the planted landscape is provided in usable open space in the common elements to the north and northeast of the main entrance and in the eastern portion of the site. These open spaces contain Swan Hill Olive, Desert Willow, Cathedral Live Oak (*Quercus virginiana*), Texas Ebony (*Ebenopsis ebano*), and Texas Mountain Laurel (*Sophora secundiflora*) trees. Various species of shrubs are dispersed throughout the site and common element lots.

### Elevations

The plans depict 6 proposed models for the development with each model having the option for 3 different architectural styles: Hacienda, Ranch Hacienda, and Contemporary Ranch Hacienda, and 3 color schemes: light, medium, and dark. All plans are shown to be 1 to 2 stories high with the proposed styles ranging in height from 17.1 feet tall up to 28.3 feet tall. The residences are shown to consist of painted stucco, pitched clay tile roofs, building pop-outs, and architectural enhancements to the windows and doors. All models are shown with an entrance portico or porch and contain stone veneer accents. Each residence includes a 2 or 3 car garage.

### Floor Plan

The models shown range in size from 2,126 square feet up to 3,475 square feet spread across mostly 2 floors with 1 single story model. The models contain a mix of 3 and 4 bedrooms with options that include 2 to 3 car garages, and options for bonus rooms and guest suites. Several models also contain the option for internally connected multi-generational living suites with a living area, a bedroom, and a kitchenette without a stove hook-up. The first floors primarily contain the main living areas and kitchen with the optional guest suite and the master bedroom. The second floors primarily consist of the additional bedrooms and optional bonus room. The

floor plans also show that some of the models will have rear patio and balconies that will be set back 15 feet to 22 feet from the rear property line. Most of the models will be set back a minimum of 10 feet from the front property line.

**Applicant's Justification**

The applicant indicates the proposed subdivision will consist of 190 lots divided into larger 50 foot wide lots and smaller 45 foot wide lots each with at least 3 models and elevations. The applicant states the site is located in a hillside area resulting in the need for increased fill and for retaining walls higher than permitted by Title 29. The applicant also states that the hammerhead cul-de-sacs makes sense for this development due to the rural nature of the area and to allow for less pavement, and that a front setback reduction is needed due to the size of the lots being proposed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-18-500181	Divided the site into 200 single family residential lots and 14 common lots - expired	Approved by BCC	December 2018
UC-18-0773	Modified residential development and street standards for a single family residential development - expired	Approved by BCC	December 2018
TM-0080-14	Original request to subdivide this site into 230 residential lots on approximately 54.4 acres - expired	Approved by PC	July 2014
WT-0472-14	Allowed modified street improvement standards and early final grading with a design review for a 230 lot single family residential development - expired	Approved by PC	July 2014
TM-0030-13	Subdivided this site into 203 residential lots and 4 larger sub-dividable lots on 299 acres	Approved by PC	May 2013
UC-0274-08	Modification of residential development standards for Southern Highlands Master Planned Community	Approved by PC	May 2008
ZC-1536-05	Reclassified the site and the surrounding area from R-E to R-2 (P-C) zoning for a Comprehensive Master Planned Community known as Southern Highlands with modified residential development standards	Approved by BCC	December 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	R-E	Undeveloped (BLM)
West & South	Open Lands	R-E	Undeveloped (BLM)
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 (P-C)	Undeveloped (Southern Highlands)

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-23-500164	A tentative map to divide the site into 190 detached single family residential lots and 2 common lots is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 27 and Title 29.

**Analysis**

**Comprehensive Planning**

Use Permits

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

Use Permit #1

The purpose of reviewing an increase in wall height, whether that be a retaining wall or a screen wall, is to ensure that the proposed wall will not negatively impact adjacent developments nor cause a safety hazard. Staff finds that the proposed retaining walls are necessary to maintain the amount of fill that is required for the proper functioning of the drainage of the site, due to the development into the existing hillside area. Lastly, the surrounding properties are currently undeveloped or developed under a similar Code and plan, so any negative impact would be minimal and any future impacts can be addressed when the adjacent parcels are formally developed. For these reasons, staff can support this request.

Use Permit #2

The purpose of reviewing setback reductions is to assure that the placement of buildings on a site provides for a safe distance from the street and other structures and to assure the massing of structures is appropriate for the site and the surrounding area. Staff ultimately finds that Title 29 and the modified development standards for the Southern Highlands Master Planned Community already allow for a significant reduction in the front setback to 15 feet and a further reduction to 10 feet could result in a massing of structures along the street that could lead to the walling in of the streetscape. With that said, staff could support this use permit if trees or architectural features are provided to break-up the streetscape similar to what is currently required in Title 30. As a result, staff can support this use permit under the condition that at least 2 medium trees are provided adjacent to street frontage or color or texture, other than grey broom finish, is provided on the driveway of each lot which takes advantage of the reduced setback.

Design Reviews

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

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

#### Design Review #1

The proposed single family residential development closely resembles the development that has been approved for Olympia Ridge Section 7 at Southern Highlands, immediately to the east of the project site. Staff finds the design of the residential subdivision is compatible with the surrounding area and harmonious with the land use patterns and density within this portion of Southern Highlands. The proposed lots within the subdivision appear to be able to sufficiently handle the proposed layouts of the proposed single family homes. In addition, the provided elevations show houses that will be similar to the existing home in the Southern Highlands area and will blend in with the surrounding desert landscaping. The landscaping provided along the street entrance and in the common lot areas allow for the vital revegetation of native vegetation on the site while providing shaded open space for residents of the community. Overall, staff finds that the development will enhance the area and takes into consideration existing conditions as much as possible. As a result, staff can support this request provided the condition for reduced front setbacks is met.

#### Design Review #2

While the hammerhead street design is not the County preferred design for traffic circulation for emergency response vehicles, the hammerhead design has been previously approved within the Southern Highlands areas. In addition, only 1 hammerhead cul-de-sac is utilized in the currently proposed subdivision and the length of the street that contains the hammerhead cul-de-sac is only about 260 feet long, allowing for a short area if vehicles need to backup to turnaround. For these reasons, staff can support this request.

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

##### Waiver of Title

The over-length dead-end street requested with this waiver is for a private street within the gated subdivision. Staff has no objection as long as Fire Prevention approves the 7,000 foot long street.

#### Design Review #3

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

#### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 27, Title 29, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Provide 2 medium trees adjacent to street frontage or provide color or texture, other than grey broom finish, to the driveway of each lot when using the front setback reduction;
- Design review for any significant changes;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Comply with approved drainage study PW22-14414;
- 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;
- No permits shall be issued until the applicant or Clark County is issued a BLM right-of-way grant for the proposed access road;
- Off-site improvements to be coordinated with Public Works - Development Review Division, and shall include, at a minimum paved legal access.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0081-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: CHRIS ARMSTRONG  
CONTACT: JASON DINEEN, HORROCKS, 1401 N. GREEN VALLEY PARKWAY,  
SUITE 160, HENDERSON, NV 89074**





# LAND USE APPLICATION

# 12A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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-23-0771</u> DATE FILED: <u>11/7/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/13/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>01/03/24</u> FEE: <u>\$1,825</u>
	<b>APPLICANT</b>  NAME: <u>Chris Armstrong</u> ADDRESS: <u>11411 Southern Highlands Pkwy., Ste. 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>702-220-6565</u> CELL: <u>702-204-9989</u> E-MAIL: <u>carmstrong@olympiacompanies.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-07-211-001

PROPERTY ADDRESS and/or CROSS STREETS: Decatur Alignment / Bruner Alignment

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)\* [Signature]

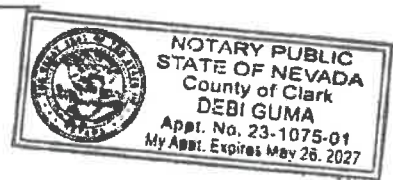
Property Owner (Print) Chris Armstrong

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 12, 2023 (DATE)

By Chris Armstrong

NOTARY PUBLIC: Debi Guma



\*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.

November 6, 2023

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

**RE: Justification Letter for Tentative Map, Design Review, & Use Permit  
Westridge at Southern Highlands  
APN 191-07-211-001**

PLANNER  
COPY  
UL-23-0771

Dear Planning Manager:

On behalf of the developer, Lennar Homes, we hereby respectfully submit this justification letter to request for Tentative Map, Design Review, and Use Permit. This project is generally located west of the existing Southern Highlands community on the west side of the mountain ridge line. This community will consist of 190 single family residential lots with a gross area of 54.37 acres.

The current zoning for the parcel is R-2 as approved by ZC-1536-05, ZC-0750-06, and ZC-0107-13. All approvals have an expiration date of 3/2/2024. The developer will process the extensions of time at a later date, if required.

#### **TENTATIVE MAP JUSTIFICATION**

This map submittal is in conformance with Title 29 for Southern Highlands. This development consists of two (2) different lot sizes: 45' x 100' and 50' x 105'.

#### **DESIGN REVIEW JUSTIFICATION**

The developer proposes to provide three floor plan options for future residents for each lot size. Each plan will offer three different elevations (A, B, and C) with three different color schemes (Light, Medium, and Dark) per elevation.

1. 45' x 100' lots
  - a. Plan 3000 – 3,000 sf two-story with 5 bedrooms, 3 bathrooms, and a 2 car garage
  - b. Plan 3210 – 3,210 sf two-story with 5 bedrooms, 4.5 bathrooms, and a 2 car garage
  - c. Plan 3370 – 3,370 sf two-story with 5 bedrooms, 4.5 bathrooms, and a 2 car garage
2. 50' x 105' lots
  - a. Plan 2126 – 2,126 sf one-story with 3 bedrooms, 2.5 bathrooms, and a 2 car garage
  - b. Plan 3080 – 3,080 sf two-story with 4 bedrooms, 3.5 bathrooms, and a 3 car garage
  - c. Plan 3475 – 3,475 sf two-story with 5 bedrooms, 4.5 bathrooms, and a 2 car garage

This project is in a steep geographic area near a hillside. This community will be private, gated and the street layouts are configured accordingly to minimize retaining conditions as much as possible and to avoid cutting too much into the hillside.

This design review is requested in accordance with Title 29 to (1) artificially increase the finished grade and (2) to utilize a hammerhead cul-de-sac design within a residential subdivision.



**DR#1 – Request for Increased Fill due to Existing Slopes**

The request to increase the fill on this parcel is due to the site generally sloping from east to west at approximately 10% to 35% within the area to be developed. This results in a maximum fill situation of approximately 22.5' as shown on the cross-sections on Sheet EX-4 on the enclosed site plan.

**DR#2 – Request Use of Hammerheads**

Hammerheads are requested for use in this development due to the reduced pavement required within the rural subdivision. Per CCAUSD Drawing No. 212.1.S1 the use of hammerheads shall be for use in single family residential dwelling areas. It is noted that parking is not allowed past the curb return of the hammerhead; however, the proposed lots in this subdivision provide ample parking within the attached garages as well as space in the driveway for other vehicles.

**USE PERMIT JUSTIFICATION**

Please see below for the summary of the use permits that we are requesting along with the enclosed Site Plan.

**UP#1 – Street Sections**

We respectfully request to utilize a 42' wide private street section per Detail A Sheet EX-3 on the site plan enclosed. The section includes L-curb on both sides with a 5' sidewalk on one side. The dimension from back of curb to back of curb is 37' which provides a dimension of 36' flowline to flowline. This will provide the required 36' drive-able access required by Clark County and complies with CCAUSD #210.S1 Option A.

**UP#2 – Retaining Wall Heights**

Title 29 allows 3' retaining walls with a 6' screen wall on top for a total wall height of 9' max. Due to the existing slopes on the project site, we respectfully request to use tiered 12' high retaining walls with a 6' screen wall on top for a total wall height of 18' max. This community is located within the Southern Highlands Master Plan where 12' walls are permitted per UC-0274-08. A 10' to 15' buffer has been provided along the perimeter to allow for stacked walls in effort to soften the transition between adjacent parcels.

**UP#3 – Front Living Setback Reduction**

Title 29 allows a front living setback of 15' from the property line. We respectfully request to reduce the front living setback to 10' for a maximum 50% of the overall building width in accordance with Table 30.40-2 in Title 30.

All of the requests above were previously approved with UC-18-0773 and TM-18-500181.

We anticipate the above justifications are sufficient to process the requested applications. Please do not hesitate to contact me with any questions at 702-966-4063.

Sincerely,  
Horrocks Engineers



Jason Dineen, PE  
Land Development Project Manager





01/03/24 BCC AGENDA SHEET

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-23-500164-SOUTHERN HIGHLANDS INVEST PTNRS:**

**TENTATIVE MAP** consisting of 190 single family detached residential lots and 2 common lots on 54.4 acres in an R-2 (Medium Density Residential) Zone within a P-C (Planned Community) Overlay District in the Southern Highlands Master Planned Community.

Generally located on the east side of Decatur Boulevard (alignment) and the south side of Bruner Avenue (alignment) within Enterprise. JJ/hw/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

191-07-211-001

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 54.4
- Project Type: Single family detached residential development
- Number of Lots/Units: 190 (lots)/2 (common lots)
- Density (du/ac): 3.5
- Minimum/Maximum Lot Size (square feet): 4,500/9,449

The plans depict a proposed single family detached residential development consisting of 190 single family detached residential lots and 2 common element lots on 54.4 acres located on the east side of the Decatur Boulevard alignment and the south side of the Bruner Avenue alignment. The overall density for the proposed development is 3.5 dwelling units per gross acre. The proposed development consists of different lot sizes ranging between 4,500 square feet and 9,449 square feet. The development will be accessed from a 140 foot wide Bureau of Land Management access easement with a 60 foot wide road which connects to Starr Hills Avenue to the north and terminates at the development in a 140 foot wide road with turnaround area. This access road is 7,000 feet in length. The proposed development features a private entry gate with a minimum setback of 100 feet from the west property line adjacent to the main access road to the site. The entry road will be 100 feet wide with 23 feet of landscaping with a 5 foot detached sidewalk on each side of the 54 foot wide private road. An internal network of private streets serve the interior of the development measuring between 42 feet to 54 feet in width. A 5 foot wide attached sidewalk is proposed adjacent to 1 side of the private streets. All common element lots and streets are described as private drainage and utility easements. The plans show that a maximum of fill of 22.2 feet (267 inches) is required on the southwest portion of the site under

Lot 108. Additional areas of significant fill are required in the northwest portion of the site under Lot 12 (19.1 feet), under the street between Lots 179 and 163 in the southeast portion of the site (14 feet), and under the portion of Common Element A in the central portion of the site (16.1 feet). Increased retaining wall heights are required along the perimeter of the site due to the grading and drainage of the site.

**Landscaping**

The plans depict 2 common element lots dispersed throughout the interior and perimeter of the proposed residential development. The landscape plans show that various portions of these common element lots will either be formally landscaped or will be revegetated with native plants and shrubs. The revegetation areas are primarily located along the perimeter of the site with a total of 9 areas being revegetated for a total area of 27,070 square feet. The primary material being used in the revegetation areas include landscape rock, Creosote Bush, Mojave Yucca, and Native Cacti. The entry roadway will contain a 23 foot landscape area on each side of the road, consisting of a 10 foot landscape area followed by a 5 foot sidewalk followed by another 8 foot landscape area adjacent to the road. These landscape areas contain Swan Hill Olive (*Olea europaea*) and Desert Willow (*Chilopsis linearis*) trees in 2 rows on each side of the detached sidewalk. The trees are spaced 30 feet apart in each row. The remainder of the planted landscape is provided in usable open space in the common elements to the north and northeast of the main entrance and in the eastern portion of the site. These open spaces contain Swan Hill Olive, Desert Willow, Cathedral Live Oak (*Quercus virginiana*), Texas Ebony (*Ebenopsis ebano*), and Texas Mountain Laurel (*Sophora secundiflora*) trees. Various species of shrubs are dispersed throughout the site and common element lots.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-18-500181	Divided the site into 200 single family residential lots and 14 common lots - expired	Approved by BCC	December 2018
UC-18-0773	Modified residential development and street standards for a single family residential development - expired	Approved by BCC	December 2018
TM-0080-14	Original request to subdivide this site into 230 residential lots on approximately 54.4 acres - expired	Approved by PC	July 2014
WT-0472-14	Allowed modified street improvement standards and early final grading with a design review for a 230 lot single family residential development - expired	Approved by PC	July 2014
TM-0030-13	Subdivided this site into 203 residential lots and 4 larger sub-dividable lots on approximately 299 acres	Approved by PC	May 2013
UC-0274-08	Modification of residential development standards for Southern Highlands Master Planned Community	Approved by PC	May 2008
ZC-1536-05	Reclassified the site and the surrounding the area from R-E to R-2 (P-C) zoning for a Comprehensive Master Planned Community known as Southern Highlands with modified residential development standards	Approved by BCC	December 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	R-E	Undeveloped (BLM)
West & South	Open Lands	R-E	Undeveloped (BLM)
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 (P-C)	Undeveloped (Southern Highlands)

**Related Applications**

Application Number	Request
UC-23-0771	A design review of a 190 lot single family residential subdivision with modifications to development standards and increased grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 28.

**Analysis**

**Comprehensive Planning**

The proposed tentative map is consistent with the requests of the proposed associated land use applications, and the request meets the tentative map requirements as outlined in Title 28. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- Comply with approved drainage study PW22-14414;

- 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;
- No permits shall be issued until the applicant or Clark County is issued a BLM right-of-way grant for the proposed access road;
- Off-site improvements to be coordinated with Public Works - Development Review Division, and shall include, at a minimum paved legal access.
- 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.

**Comprehensive Planning - Addressing**

- 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 #0081-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRIS ARMSTRONG**

**CONTACT: JASON DINEEN, HORROCKS, 1401 N. GREEN VALLEY PARKWAY,  
SUITE 160, HENDERSON, NV 89074**



# TENTATIVE MAP APPLICATION 13A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-23-500164</u>	DATE FILED: <u>11/7/23</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>12/3/23</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>01/03/24</u>	
		FEE: <u>\$750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Southern Highlands Investment Partners</u>
	ADDRESS: <u>11411 Southern Highlands Pkwy., Ste. 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u>
	TELEPHONE: <u>702-220-6565</u> CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Chris Armstrong</u>
	ADDRESS: <u>11411 Southern Highlands Pkwy., Ste. 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u>
	TELEPHONE: <u>702-220-6565</u> CELL: <u>702-204-9989</u>
	E-MAIL: <u>carmstrong@olympiacompanies.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Debi Guma</u>
	ADDRESS: <u>11411 Southern Highlands Pkwy, Ste. 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u>
	TELEPHONE: <u>702-220-6565</u> CELL: <u>702-287-6610</u>
	E-MAIL: <u>dguma@olympiacompanies.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-07-211-001

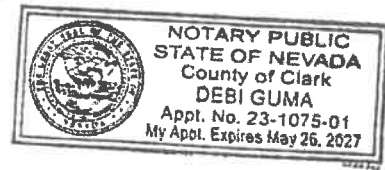
PROPERTY ADDRESS and/or CROSS STREETS: Decatur Alignment and Bruner Alignment

TENTATIVE MAP NAME: Westridge

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)\*      Chris ARMSTRONG Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON October 12, 2023 (DATE)  
 By Chris Armstrong  
 NOTARY PUBLIC: Debi Guma



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

TM-23-500164

October 19, 2023

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

**SUBJECT: Westridge at Southern Highlands – TM Hold Letter**

Dear Sir/Madam:

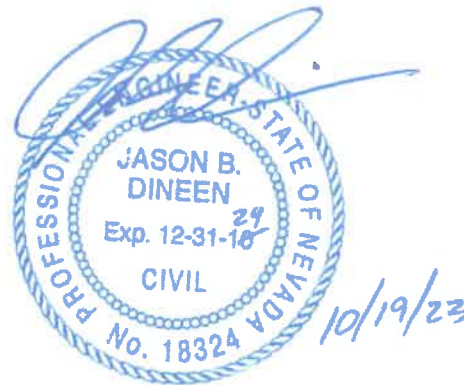
On behalf of the developer, Greystone Nevada LLC, we hereby submit this hold letter. This letter acknowledges and accepts that the Tentative Map application is a companion item with the Design Review, Use Permit, and Waiver of Standards applications and that the tentative map will follow the same schedule and hearing dates as the companion items.

Please do not hesitate to contact me with any questions or for additional information.

Sincerely,  
**Horrocks Engineers**



Jason Dineen, PE  
Land Development Project Manager





single family residential development; 3) 113 feet from the north property line; and 4) 52.7 feet from the west property line along Rainbow Boulevard. The residential development to the east is located 46 feet from the canopy over the vehicle queuing area, and the residential development to the south is located 103 feet from the vacuum bays. 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 103 feet and 52.7 feet from the south and west property lines, respectively. Each vacuum station row contains 8 spaces (16 total), with each space measuring 20 feet in depth and 12 feet in width. The 16 spaces designated for vacuum stations are not counted as part of the overall parking requirement for the proposed development. The plans depict 9 additional parking spaces including an ADA parking space. The accessible parking space is proposed adjacent to the northwest portion of the vehicle wash.

The vehicle queuing lane, measuring 22 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 12 automobiles at any given time. Three covered pay kiosks canopies are located at the end of the stacking area, with a setback of 46.7 feet from the east property line. The 3 lane stacking area transitions into a single drive aisle measuring 19 feet in width, located north of the building, where automobiles enter the vehicle wash and exit the facility on the south side via a 16 foot wide drive aisle. There is no talk box proposed with this facility. A trash enclosure is proposed 31.5 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 80 parking spaces are provided. An existing 5 foot wide detached sidewalk is located adjacent to Rainbow Boulevard and an existing 5 foot wide attached sidewalk is located along Mountains Edge Parkway. Access to the project site is granted via existing commercial driveways along Rainbow Boulevard and Mountains Edge Parkway.

#### 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 Mountains Edge Parkway. The street landscape areas consist of trees, shrubs, and groundcover. Existing 10 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 32 feet in width, is provided along the east property line for a total width of 42 feet. The landscaping along the south property line ranges from 10 feet wide intense landscape buffer to 32 feet wide. Twenty-four inch box trees planted 15 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 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 elevation 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 and are architecturally compatible with the main building.

### Floor Plans

The plans depict a vehicle wash consisting of 4,492 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.

### Lighting Plan

The plan consists of a total of 10 light poles distributed along the eastern, southern, and western portions of the site. The light poles are 20 feet in height where 25 feet is permitted. The light fixtures on the poles are shielded as required by Code and pursuant to prior condition of approval of WS-19-0851. No building lighting is provided on the façade of the carwash tunnel. The proposed lighting will match the existing light poles within the commercial center.

### Signage

The sign plan for the carwash facility includes the following signs: a 20 foot, 50 square foot pylon sign; two, 72 inch, 90.85 square foot illuminated channel letters signs; two, 96 inch, 62.89 square foot squirrel with purple overalls signs; one, 36 inch, 75.18 square foot illuminated channel letters "Car Wash" sign; one, 10 inch, 4.54 square foot illuminated channel letters "Cashier" sign; one, 10 inch, 7.06 square foot illuminated channel letters "Auto-Teller" sign; one, 10 inch, 2.88 square foot illuminated channel letters "pass" sign; and one, 12 inch acrylic FCO building address sign.

Three of the signs (Cashier, Auto-Teller, and Pass) are attached to the canopy wall above the pay point lanes. Two signs each (Purple illuminated and Squirrel) are located on the south and north sides of the building at the entrance and exit of the carwash tunnel. Two signs (Car Wash and Address) are located on the west side of the building. This proposed sign plan complements the use and the existing signage on the site. The signage plan has not changed significantly from the prior approval nor is the applicant requesting signage on the east side of the tunnel facing the residential or any animated signs as agreed upon per UC-22-0414. A waiver is required to increase the number of freestanding signs as an existing freestanding sign, in conjunction with an existing gasoline station to the north of the site, is already constructed and Title 30 views the proposed carwash and associated existing gasoline station to be on the same site due to cross access. Additionally, a waiver of development standards is required to allow wall signs to face adjacent residential development where not allowed. The closest wall sign is located 121 feet north of the existing residential development.

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Percent Increase	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Freestanding*	264	50	314	n/a	785.7	1	1	2
Wall	0	205.4	205.4	n/a	813.3	0	9	9
Overall total	0	255.4	519.4	n/a	1,599	1	10	11

\*Includes existing gasoline pricing sign associated with gasoline station to the north.

#### Applicant's Justification

The applicant states that most recently, in December 2022, the site was approved for special use permits, design reviews and related waivers of development standards to allow for a carwash facility via application UC-22-0414. The applicant now wishes to resubmit plans with the queuing lanes to the east of the carwash tunnel with other minor revisions to the previously approved plans. This request will also expunge UC-22-0414. The current request depicts a residential development to the east located 46 feet from the vehicle queuing area, and another residential development to the south located 103 feet from the vacuum bays. The applicant is providing a total of 42 feet of landscaping, consisting of 20 feet of intense landscaping directly adjacent to the residential and an additional 22 feet of extra landscaping adjacent to the queuing lanes. The added intense landscaping will provide a significant buffer for the neighbors from the vehicles in the queuing lanes and the tunnel and will prevent any negative impact on potential noise. The proposed carwash will not increase the traffic flow along Rainbow Boulevard, as it is already a heavily travelled right-of-way. Rather, the facility will simply act as an impulse stop, like stopping at a gas station.

The applicant is also requesting to allow exterior materials on the carwash building to differ from the materials of the existing tavern and convenience store within the shopping center. Carwash facilities typically have distinct brands, and their architectural needs must match that brand. While the elevations may not match the existing buildings within the commercial center, the proposed elevations will blend well within the commercial center and surrounding area.

Furthermore, the applicant states there is an existing freestanding sign located at the northwest corner of the shopping center near the existing convenience store. The additional freestanding sign is needed to appropriately advertise for the proposed carwash facility. The proposed freestanding sign will be placed 521 feet away from the existing sign to the north. This will provide sufficient distance between the 2 signs to avoid overcrowding of signage along the street frontage.

#### **Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0414	Vehicle wash, residential setback reduction, and incidental waivers of development standards	Approved by BCC	December 2022
DR-19-0851	Revisions to a previously approved convenience store, lighting, and signage	Approved by PC	February 2020

**Prior Land Use Requests**

Application Number	Request	Action	Date
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, carwash, 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
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 carwash bay to face a public street	Approved by BCC	February 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	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 is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Use Permit

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

#### Waivers of Development Standards

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

While the applicant is requesting a second sign, it has placed the sign 521 feet away from the existing sign to the north, where a minimum of 300 feet is required per Table 30.72-1. The proposed 21 foot freestanding sign will be approximately 77 feet north of the existing residential development to the south of the subject site. Staff finds that this is a self-imposed hardship. Alternative signage such as a non-animated monument sign may be more appropriate for the location of the proposed sign to avoid overcrowding of freestanding signage along the street frontage.

Staff finds the request to allow wall signs facing adjacent residential development is less intrusive to the neighborhood to the south, as the closest proposed wall sign is approximately 121 feet north of the existing residences and the proposed size of the signs is within the Title 30 Code requirements guidelines. Furthermore, staff finds that the landscape buffer between the residential to the south and the proposed wall signs will also contribute to the visual softening of the signs. However, since staff is not supporting the waiver of development standards for the proposed freestanding sign and the design review for signage, staff cannot support waiver of development standard request for the wall signs facing residential development.

#### Design Reviews

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

#### 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 46 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 of 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. Although the previously approved vehicle wash building was larger in size (5,957 square feet), the prior vehicle wash facilities measured between 1,100 square feet and 1,200 square feet in area. The proposed facility is more intense than the previously approved land use applications. 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 design review #1.

#### Design Review #2

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 permit, waivers of development standards, and design reviews, staff cannot support this request.

#### Design Review #3

Staff finds the proposed wall signs to be appropriate in size and location. The wall signs proposed on the south side of the building, facing the existing residential development, blend in with the building façade and the vast landscape buffer contributes to the visual softening of the wall signs. The wall signs on the west façade of the building are facing Rainbow Boulevard and an undeveloped commercial zoned property. The wall signs on the north façade face the existing commercial to the north. However, there is a waiver request for the proposed non-animated freestanding sign located at the south access point of the site along Rainbow Boulevard, which staff does not support. Therefore, staff cannot support this request.

#### **Staff Recommendation**

Denial

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

If approved:

- Expunge UC-22-0414;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SQUIRRELS' REAL ESTATE, LLC**

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







CIVIL ENGINEERING

# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 14A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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-23-0777</u> DATE FILED: <u>11/8/23</u> PLANNER ASSIGNED: _____      TAB/CAC DATE: <u>12/13/23</u> TAB/CAC: <u>ENTERPRISE</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>JAN. 3 2024</u> FEE: <u>\$1825</u>
	<b>PROPERTY OWNER</b>  NAME: <u>SQUIRRELS' REAL ESTATE LLC</u> ADDRESS: <u>203 S. First Street</u> CITY: <u>Lufkin</u> STATE: <u>TX</u> ZIP: <u>75901</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>SQUIRRELS' REAL ESTATE LLC</u> ADDRESS: <u>203 S. First Street</u> CITY: <u>Lufkin</u> STATE: <u>TX</u> ZIP: <u>75901</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	<b>CORRESPONDENT</b>  NAME: <u>Elisabeth Olson - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: <u>n/a</u> E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u>

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

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd. / Mountains Edge

PROJECT DESCRIPTION: Design Review for Revised Plans - Vehicle Wash / Signs

(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]      Benjamin D. Winston  
 Property Owner (Print)

STATE OF Texas  
 COUNTY OF Angelina  
 SUBSCRIBED AND SWORN BEFORE ME ON June 13, 2023 (DATE)  
 By Sharon Brown



NOTARY PUBLIC: Sharon Brown

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

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

CROWELL

LEXA D. GREEN  
[lgreen@kcnvlaw.com](mailto:lgreen@kcnvlaw.com)  
D: 702.792.7000

November 5, 2023

**VIA ONLINE SUBMITTAL**

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

CIVIL  
ENGINEERING

UC-23-0777

**Re: *Justification Letter – Special Use Permit, Design Review and Waivers of Development Standards  
Smitty’s Car Wash  
Mountains Edge Parkway and Rainbow Boulevard***

To Whom It May Concern:

Please be advised this office represents the Applicant in the above-referenced matter. The proposed project and is generally located south of Mountains Edge Parkway and east of South Rainbow Boulevard. The property is more particularly described as APNs:176-26-312-002 through 004 (the “Site”). The Site is zoned Designed Manufacturing (M-D) and master planned Business Employment (BE). The Applicant is proposing a car wash facility. As such, the Applicant is requesting special use permits; waivers of development standards; and design reviews for a proposed car wash facility with a lighting plan, signage plan, and an increased grade fill.

By way of background, the Site was previously approved on three different occasions for a car wash facility (*See* ZC-0009-06, UC-0479-17 and UC-22-0414). Most recently, in December 2022, the Site was approved for special use permits, design reviews and related waivers of development standards to allow for a car wash facility via application UC-22-0414. The application was approved “per revised plans,” which showed a separation of 83 feet from the residential to the east and 103 feet from the residential to the south. Additionally, the revised site plans showed the three vehicle queuing lanes west of the car wash tunnel. The Applicant now wishes to resubmit plans with the queuing lanes to the east of the car wash tunnel with other minor revisions to the previously approved plans. This request will also expunge UC-22-0414.

**A. Special Use Permit**

Car wash facilities are conditional uses within M-D zoned districts, so long as the required conditions are met. The Site is located on South Rainbow Boulevard, approximately 300 feet south of Mountains Edge Parkway, within an existing commercial center. The commercial center currently consists of a convenience store with fuel pumps and a tavern. This request will complete the development of the commercial center. The Site is bordered to the east and south by existing single family homes, within an R-2 zoned district. Car wash facilities within M-D zoned districts are to be a minimum of 200-feet from residential uses, unless a special use permit is approved to

allow a reduction to that distance. Here, the residential to the east is located 82 feet from the car wash tunnel, and the residential to the south is located 103 feet from the vacuum bays. As noted above, the prior plans were approved with an 83-foot setback via application UC-22-0414. The Applicant has revised they layout to provide significantly more landscaping between both the queuing lanes and the car wash tunnel. As shown on the landscape plans, the Applicant is providing a total of 42-feet of landscaping, consisting of 20-feet of intense landscaping directly adjacent to the residential and an additional 22-feet of extra landscaping adjacent to the queuing lanes. The added intense landscaping will provide a significant buffer for the neighbors from the vehicles in the queuing lanes and the tunnel itself, and will therefore prevent any negative impact on potential noise. While this proposal is 1-foot closer to the residential, the added landscape buffer far outweighs the reduced setback.

The car wash facility will be water efficient and environmentally friendly, with the latest in car wash technology. The facility will also encourage drivers away from washing their cars in their own driveways, saving thousands of gallons of water a year.

The proposed car wash will not increase the traffic flow along South Rainbow Boulevard, as it is already a heavily travelled right-of-way. Rather, the facility will simply act as an impulse stop, similar to stopping at a gas station. Furthermore, placing the car wash less than a mile from the various commercial and public facility uses within the area will assist with convenience for its customers, as many travelers tend to wash their cars while out running errands.

## **B. Design Review**

### **• Car Wash Facility**

The proposed car wash facility includes a 4,492 square-foot car wash tunnel that is 32 feet in height, with 16 vacuum bays to the west of the tunnel. The car wash tunnel is setback 82 feet from the eastern property line and 113 feet from the southern property line. Access to the Site will be from an existing driveway on South Rainbow Boulevard and a cross access driveway connecting the parcel to the north. Car wash queuing is proposed to start along the southern portion of the Site, where the line will continue along the eastern side of the car wash tunnel, turning into three (3) queuing lanes. The three (3) queuing lanes are setback 42 feet from the eastern property line and buffered by 20 feet of intense landscaping and 22-feet of additional landscaping. The building will have a flat roofline on the west and east elevations, with different curvature and building articulations on the north and south elevations. Cars will enter the car wash tunnel from the north, and exit from the south.

### **• Non-Compatible Architectural Materials**

The Applicant is requesting to allow for the materials on the carwash building to differ from the materials of the existing tavern and c-store within the shopping center. The elevations were previously approved and deemed compatible via application UC-22-0414. Carwash facilities typically have distinct brands and their architectural needs must match that brand. While the elevations may not match the existing buildings within the commercial center, the proposed

elevations ultimately meet the requirements of Code and will blend well within the commercial center and surrounding area.

- **Lighting Plan**

The lighting plan provided has not changed from the prior approval and is code compliant. The plan consists of a total of thirteen (13) light poles distributed along the eastern, southern, and western portions of the site. The light poles are 25-feet in height where 25-feet is permitted. The light fixtures on the poles are shielded as required by Code and pursuant to prior condition of approval of WS-19-0851. No building lighting is provided on the façade of the car wash tunnel. The proposed lighting will match the existing light poles within the commercial center.

- **Signage**

The sign plan for the car wash facility includes the following signs: a 20 foot, 50 square-foot pylon sign; two (2) 72-inch, 90.85 square-foot illuminated channel letters signs; two (2) 96-inch, 62.89 square-foot squirrel with purple overalls signs; one (1) 36-inch, 75.18 square-foot illuminated channel letters “Car Wash” sign; one (1) 10-inch, 4.54 square-foot illuminated channel letters “Cashier” sign; one (1) 10-inch, 7.06 square-foot illuminated channel letters “Auto-Teller” sign; one (1) 10-inch, 2.88 square-foot illuminated channel letters “pass” sign; and one (1) 12-inch acrylic FCO building address sign. Three (3) of the signs are hanging signs located at the pay points for the queuing lanes. Two (2) signs are located on the south side at the exit of the car wash tunnel and three (3) on the north side at the entrance. One (1) sign is located on the west side of the building. This proposed sign plan complements the use and the existing signage on the Site. The signage plan has not changed from the prior approval nor is the Applicant requesting signage on the east side of the tunnel facing the residential or any animated signs as agreed upon per UC-22-0414.

### **C. Waivers of Development Standards**

The Applicant is requesting the following waivers as part of the application. The signage waivers below were previously requested and approved via application UC-22-0414.

- **Reduce the Height from Grade for Hanging Signs**

The Applicant requests to reduce the height from grade for hanging signs to 9 feet, where 14 feet is required when subjected to vehicular traffic. Three (3) hanging signs are proposed at the queuing lanes to direct customers to the different lanes. The signs will hang underneath the canopy which is 10 feet high, to make them more visible to customers. The signage will also act to prevent vehicles higher than 9 feet from accessing the area and car wash tunnel.

- **Permit Three (3) Hanging Signs**

The Applicant proposes three (3) hanging signs for the car wash facility, where only one (1) hanging sign is permitted per tenant. The three (3) proposed hanging signs provide information

and direction to customers prior to the approach to the designated queuing lanes. Code permits one (1) hanging sign, up to 32 square feet. Although the applicant is proposing three (3) signs, the total square-footage of the three (3) signs is 14.48 square-feet. This request is minimal and will not negatively impact the Site or the adjacent residential development.

- **Allow a Second Freestanding Sign On Rainbow**

The Applicant is requesting to allow for a second freestanding sign along Rainbow where one (1) is permitted per street frontage less than 1,000-feet per Table 30.72-1. There is an existing freestanding sign located at the northwest corner of the shopping center near the existing c-store. The additional freestanding sign is needed in order to appropriately advertise for the proposed carwash facility. While the Applicant is requesting a second sign, it has placed the sign 521-feet away from the existing sign to the north, where a minimum of 300-feet is required per Table 30.72-1. This will provide sufficient distance between the two signs to avoid overcrowding of signage along the street frontage. Additionally, the overall height of the freestanding sign is less than 21-feet where up to 50-feet is permitted in M-D zoning districts.

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

Sincerely,

KAEMPFER CROWELL



Lexa D. Green



01/03/24 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT  
(TITLE 30)

CHIEFTAIN ST/SERENE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400166 (UC-22-0007)-SIGNATURE LAND HOLDINGS, LLC:**

**WAIVER OF CONDITIONS** of a use permit requiring perimeter walls on the north and east sides of the subdivision to be tiered (consistent with Figure 30.64-1 to the extent practical) and decorative in conjunction with an approved single family residential subdivision on 2.6 acres in an H-2 (General Highway Frontage) Zone.

Generally located on the northeast corner of Chieftain Street and Serene Avenue within Enterprise. JJ/tpd/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-19-619-001 through 176-19-619-018

**LAND USE PLAN:**

ENTERPRISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 2.6
- Project Type: Single family residential subdivision
- Number of Lots: 17
- Density (du/ac): 6.5
- Minimum/Maximum Lot Size (square feet): 3,396/5,117
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,845/2,170/2,340/2,555

**History, Site Plan, & Request**

In March 2022, the Board of County Commissioners approved UC-22-0007 for a single family residential subdivision in the H-2 zone with a waiver of development standards for increased wall height along the north and east property lines. The condition of approval required the walls along the eastern and northern boundary lines to be tiered and decorative. This request is to waive the aforementioned condition.

The original approved plans depict a 17 lot single family residential subdivision. Access is provided to 14 of the lots by a 42 foot wide private street that extends east from Chieftain Street. A 4 foot wide sidewalk is provided on the north side of the private street, and the private street terminates in a cul-de-sac on the east side of the site. Three lots located in the southwest portion of the site will take access directly from Chieftain Street rather than the proposed private street.

#### Landscaping

The approved plans show an attached sidewalk along Chieftain Street, and a 6 foot wide landscape strip is provided behind the attached sidewalk on the north side of the entrance to the subdivision. A 15 foot wide landscape area with a detached sidewalk is provided along Serene Avenue on the south side of the site.

The provided plans for UC-22-0007 show the wall height at 12 feet (6 foot retaining wall with 6 foot screen wall) along the east property line and at 12.5 feet (6.5 foot retaining wall, 5 foot screen wall, and 1 foot wrought iron fence) along the north property line. The condition of approval required the walls to be tiered (consistent with Figure 30.64-1 to the extent practical) and decorative.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0007:

##### Current Planning

- Perimeter walls on the north and east sides of the subdivision to be tiered (consistent with Figure 30.64-1 to the extent practical) and decorative;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

##### Public Works - Development Review

- Drainage study and compliance;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Chieftain Street, 35 feet to the back of curb for Serene Avenue, and associated spandrel;
- 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.



- 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; 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 portion of Chieftain Street without homes fronting it needs to have an L-curb.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0025-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant states that a tiered decorative wall will produce drainage issues and encumber on the eastern property line of the proposed dwellings. On the eastern border, utilizing tiered walls would not allow 5 feet of clearance on the east side of the lots. Additionally, the usable side yard is reduced to 1.7 feet on the most restrictive lot. A tiered wall along the north border creates 9 feet of clearance, greatly reducing the usable rear yard on these lots. In both instances, the tiered wall condition creates an area between the 2 walls that must be maintained by future homeowners with drainage for that inaccessible area provided in accordance with current County standards.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-22-500005	17 lot single family residential subdivision	Approved by BCC	March 2022
UC-22-0007	Use permit, waiver of development standards, and design reviews for a single family residential subdivision	Approved by BCC	March 2022
VS-22-0008	Vacated and abandoned easements located between Fort Apache Road and Chieftain Street, and between Blue Diamond Road and Serene Avenue	Approved by BCC	March 2022

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the increased wall heights will be adjacent to undeveloped properties zoned C-2. However, staff typically does not support waiver requests for conditions that were imposed by the Board of County Commissioners. The increased wall heights of 12 feet and 12.5 feet will be clearly visible from the adjacent properties. As a result, the neighboring properties will have unencumbered views of the large, austere block walls. Therefore, staff cannot support the waiver of conditions request.

**Staff Recommendation**

Denial.

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

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 80, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- The walls along the east and north property lines to be decorative.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** EDDIE DUENAS

**CONTACT:** SONIA MACIAS, DRC SURVEYING NEVADA, INC., 7080 LA CIENEGA STREET #200, LAS VEGAS, NV 89119

WC-23-400166

PLANNER COPY



# LAND USE APPLICATION 15A

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

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) UC-22-0007 (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>WC-23-400166</u> DATE FILED: <u>11-7-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12-13-23</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>1-3-23</u> FEE: <u>1300</u>
	<b>PROPERTY OWNER</b> NAME: <u>Signature Land Holdings LLC</u> ADDRESS: <u>801 S. Rancho Drive Suite E-4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-671-6041</u> CELL: <u>702-340-7810</u> E-MAIL: <u>eddieduenas@signaturehomes.com</u>
	<b>APPLICANT</b> NAME: <u>Signature Land Holdings LLC</u> ADDRESS: <u>801 S Rancho Drive Suite E-4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-671-6041</u> CELL: <u>702-340-780</u> E-MAIL: <u>eddieduenas@signaturehomes.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-19-619-001 thru 018

PROPERTY ADDRESS and/or CROSS STREETS: Chieftain Road / Serene Ave.

PROJECT DESCRIPTION: Waiver of Condition perimeter walls on the north and east sides to be tiered

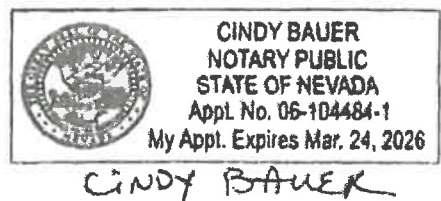
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10-03-23 (DATE)

By Rick Bauron  
 NOTARY PUBLIC: Cindy Bauer



\*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.

November 7, 2023

Clark County  
500 S. Grand Central Parkway  
Las Vegas Nevada 89106

**RE: PW22-16539, UC-22-0007, TM-22-500005  
Chieftain/Serene**

This letter is to serve as a justification for the waiver of the condition on UC-22-0007: **Perimeter walls on the north and east sides of the subdivision to be tiered (consistent with Figure 30.64-1 to the extent practical) and decorative.**

While the approval of UC-22-0007 allowed for over height solid walls up to a maximum of 12.5-ft, the condition to require tiered walls with landscaping between them limits the rear (or side) yards and creates maintenance and drainage issues. The north and east boundaries of the project are adjacent to vacant commercial land that is master planned CM (Corridor Mixed Use) and zoned C-2 with direct frontage on Blue Diamond Road (200' R/W) and Fort Apache Road (100' R/W).

On the eastern border, utilizing tiered walls would not allow the homes as approved in the entitlements to fit on the lots with 5' clear on the east side of the lots. The usable side yard is reduced to 1.7' on the most restrictive lot. A tiered wall along the north border reduces the usable rear yard on the smallest lots to approximately 9-ft. In both instances, the tiered wall condition creates an area between the two walls that must be maintained by the future homeowners with drainage for that inaccessible area provided in accordance with current County standards.

We are proposing the condition be removed so that the rear and side yards will provide future homeowners with full use of their yards along with a 6-ft decorative CMU wall above the retaining walls for privacy. The elimination of the tiered walls will also eliminate the maintenance and drainage issues on the affected lots.

If there are any questions or concerns, please contact our office at 702-932-6125 or email me at [jthomason@tce-lv.com](mailto:jthomason@tce-lv.com)

Sincerely,



Joe Thomason, P.E.

## **ENTERPRISE TOWN BOARD DRAFT CALENDAR 2024**

January 10 & 31

February 14 & 28

March 13 & 27

April 10

May 1 & 15 & 29

June 12 & 26

July 10 & 31

August 14 & 28

September 11 & 25

October 9 & 30

November 13 & 27

December 11

