



Lone Mountain Citizens Advisory Council
Mountain Crest Neighborhood Services Center
4701 N Durango Drive
Las Vegas, NV 89129
 November 9, 2021
 6:30pm

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 Dawn vonMendenhall at 702-289-0196.
 - Supporting material is/will also be available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/LoneMountainCAC>

Board/Council Members: Chris Darling, Chairperson
 Dr. Sharon Stover, Vice Chairperson
 Kimberly Burton
 Carol Peck
 Bradley Burns

Secretary: Dawn vonMendenhall, 702-289-0196, clarkcountycac@hotmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Jennifer Damico, 702-219-0374, Jennifer.Damico@clarkcountynv.gov
 William Covington, 702-455-2540, William.Covington@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, Roll Call, and County Staff Introductions
- 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 October 12, 2021. (For possible action)
- IV. Approval of the Agenda for November 9, 2021, and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Updates from Commissioner Miller's & Commissioner Kirkpatrick's office – County Liaisons will provide information on recent citizen concerns, zoning applications, annexation and inter-local updates with the City of Las Vegas and other issues impacting residents in the Lone Mountain area (for discussion only)
 - 2. Receive presentation regarding the NDOT I-11 Planning and Environmental Linkages (PEL) Study (for Discussion Only)
- VI. Planning and Zoning

- 1. **WS-21-0447-GILBERT, DAN & CLAUDIA: WAIVER OF DEVELOPMENT STANDARDS** to increase the proposed retaining wall height. **DESIGN REVIEW** for increase finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E Zone. Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo (For possible action) 11/17/21 BCC

12/07/21 PC

- 2. **WS-21-0589-ROCKWELL TRUST: WAIVER OF DEVELOPMENT STANDARDS** to not connect to municipal water in conjunction with a single family residential minor subdivision on 4.5 acres in an R-E (RNP-I) Zone. Generally located 230 feet north of Deer Springs Way and 765 feet west of Torrey Pines Drive within Lone Mountain. MK/jt/jo (For possible action) 12/07/21 PC

12/08/21 BCC

- 3. **VS-21-0610-RCAD TRUST & KHOURY MARIZ TRS: VACATE AND ABANDON** easements of interest to Clark County located between Fort Apache Road and Dapple Gray Road and between Stange Avenue and Lone Mountain Road within Lone Mountain (description on file). RM/bb/jo (For possible action) 12/08/21 BCC
- 4. **WS-21-0609-RCAD TRUST & KHOURY MARIZ TRS: WAIVER OF DEVELOPMENT STANDARDS** to increase retaining wall height. **DESIGN REVIEW** for finished grade on 1.9 acres in an R-E Zone. Generally located on the north side of Stange Avenue and the east side of Fort Apache Road within Lone Mountain. RM/bb/jo (For possible action) 12/08/21 BCC

VII. General Business

1. Review draft 2022 TAB/CAC calendar for meeting dates, cancellations or dates moved due to holidays (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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: November 30, 2021.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Mountain Crest Neighborhood Services Center, 4701 N Durango Drive, Las Vegas, NV 89129.
<https://notice.nv.gov>



Lone Mountain Citizens Advisory Council

October 12, 2021

MINUTES

Board Members: Chris Darling – Chair – **EXCUSED** Carol Peck – **EXCUSED**
Dr. Sharon Stover – Vice Chair – **PRESENT** Bradley Burns – **PRESENT**
Kimberly Burton – **PRESENT**

Secretary: Dawn vonMendenhall, clarkcountycac@hotmail.com

Town Liaison: Jennifer Damico, Jennifer.Damico@clarkcountynv.gov
William Covington, William.Covington@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
The meeting was called to order at 6:31 p.m.
- II. Public Comment
None
- III. Approval of September 28, 2021 Minutes
Moved by: Kim
Action: Approved subject minutes as submitted
Vote: 3/0 -Unanimous
- IV. Approval of Agenda for October 12, 2021
Moved by: SHARON
Action: Approved agenda as submitted, with items 3, 4, and 5 heard first and heard together
Vote: 3/0 - Unanimous
- V. Informational Item(s)
None
- VI. Planning & Zoning

1. **WS-21-0447-GILBERT, DAN & CLAUDIA: WAIVER OF DEVELOPMENT STANDARDS** to increase the proposed retaining wall height. **DESIGN REVIEW** for increase finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E Zone. Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo 10/20/21 BCC

Action: HELD so applicant can look at other design possibilities for site plan

2. **UC-21-0521-THOMPSON SHAWN MICHAEL & WENDY S: USE PERMITS** for the following: 1) allow an accessory building to exceed one-half the footprint of the principal dwelling; and 2) allow the combination of all accessory structures to exceed the footprint of the principal dwelling. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) reduce the setback for a proposed driveway to a property line; 3) reduce the setback for an existing driveway to a property line; and 4) reduce the setback from a driveway to an above ground electrical transformer on 0.52 acres in an R-E (RNP-I) Zone. Generally located 145 feet east of Park Street and 151 feet south of La Mancha Avenue within Lone Mountain. RM/jvm/jd 11/02/21 PC

Action: APPROVED as submitted, subject to staff conditions and condition that applicant place protective bollards around electrical transformer

Moved By: Brad

Vote: 3/0

3. **VS-21-0489-HOOPER INDUSTRIES, LTD: VACATE AND ABANDON** easements of interest to Clark County located between Lone Mountain Road and Kraft Avenue, and between Tee Pee Lane and Fort Apache Road within Lone Mountain. RM/nr/jo 11/03/21 BCC

4.

Action: APPROVED as submitted, subject to staff conditions

Moved By: Brad

Vote: 3/0

5. **WS-21-0488-HOOPER INDUSTRIES, LTD: WAIVER OF DEVELOPMENT STANDARDS** for intersection off-sets. **DESIGN REVIEWS** for the following: 1) finished grade; and 2) single family residential on 4.7 acres in an R-E (RNP-I) Zone. Generally located on the south side of Lone Mountain Road and the west side of Chieftain Street within Lone Mountain. RM/nr/jo 11/03/21 BCC

Action: APPROVED as submitted, subject to staff conditions

Moved By: Brad

Vote: 3/0

6. **TM-21-500140-HOOPER INDUSTRIES, LTD: TENTATIVE MAP** consisting of 8 lots on 4.7 acres in an R-E (RNP-I) Zone. Generally located on the south side of Lone Mountain Road and the west side of Chieftain Street within Lone Mountain. RM/nr/jo 11/03/21 BCC

Action: APPROVED as submitted, subject to staff conditions

Moved By: Brad

Vote: 3/0

VII. General Business

None

VIII. Public Comment

None

IX. Next Meeting Date

The next regular meeting will be October 26, 2021.

X. Adjournment

The meeting was adjourned at 7:53 p.m.

BOARD OF COUNTY COMMISSIONERS

MARILYN KIRKPATRICK, Chair-JAMES B GIBSON, Vice-Chair

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

YOLANDA KING, County Manager

FINISHED GRADE
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0447-GILBERT, DAN & CLAUDIA:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase the proposed retaining wall height.

DESIGN REVIEW for finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E (Rural Estates Residential) (RNP-1) Zone.

Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo (For possible action)

RELATED INFORMATION:

APN:
125-31-403-004

WAIVER OF DEVELOPMENT STANDARDS:
Increase the proposed retaining wall height to 9 feet where 3 feet is the maximum allowed per Section 30.64.050 (a 200% increase).

DESIGN REVIEW:
Increase finished grade to 136 inches (11.3 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 655% increase).

LAND USE PLAN:
LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: 4870 N. Jensen Street
- Site Acreage: 2.5
- Project Type: Increased retaining wall height and finished grade

Site Plan

The site plan depicts a proposed single family residence on the southern portion of the subject parcel and a detached garage on the northeast corner of the site. The main driveway is located along the west property line adjacent to Jensen Street. A secondary driveway adjacent to the detached garage is located along the north property line adjacent to Verde Way. Per the

submitted plans the increase finished grade is located along the eastern portion of the site. The applicant is requesting to increase the finished grade to 136 inches where 18 inches is the maximum allowed per Title 30. Secondly, due to the increase in finished grade, the applicant is also requesting to increase the retaining wall height to 9 feet, where 3 feet is the maximum allowed per Code.

Site Plans

The submitted plans show that there is an 18 foot slope transition starting from the west property line to the east property line. The rear yard will be terraced on the east side of the site. There are existing single family residences to the east, which contain finished grade elevations that are approximately 18 feet lower than the applicant's property. The proposed finished grade for the proposed residence requires 136 inches (11.3 feet) of fill to accommodate proper drainage on-site, to allow the finished floor pad of the proposed residence to be at the proper elevation adjacent to Jensen Street and so that the applicant can utilize the 10 foot wide drainage easement along the south and east property lines. The plans show that there is a proposed 8 foot high retaining wall along the south property line with a 5 foot high wrought iron fence on top. Along the east property line, there is an existing 6 foot high screen wall utilized by the residential parcels to the east, the applicant will be installing a redundant wall along the east property line (9 foot high retaining wall with a 5 foot high wrought iron fence on top), and a 2 inch cap will be placed to cover the gap between the existing wall and the proposed retaining wall/wrought iron fence combination screen wall.

Applicant's Justification

Per the applicant, the finished grade of the proposed development exceeds 18 inches above the existing grade as the site slopes from west to east. The existing site contours show the site slopes 18 feet from west property line to the east property line (6.4% existing site slope). By using the Clark County standard design criteria, the proposed finished floor for the proposed residence needs to be at an elevation as currently designed. In addition, the proposed principal residence finished floor elevation has been placed at an elevation that is 18 inches above the adjacent centerline grade. The entire site slopes north towards the existing drainage easement located along the east property line. A 10 foot wide private drainage easement is located on-site along the south and east property lines. The storm drain will pick-up the off-site water from the west which is captured at the low point in Jensen Street. The minimum pad design criteria mentioned above along with the existing site slopes to the east requires the pad in most areas especially the east side of the parcel to be greater than 18 inches above the existing grade. The lot has been designed so that there is a maximum of approximately 136 inches (11.3 feet) of fill in the center of the property. Along the east property line there will be a retaining wall at a maximum height of 9 feet, thus requiring a waiver since the maximum height of a retaining wall is 3 feet. Lastly, a design review request is required for an increase in finished grade to 136 inches (11.3 feet) where 18 inches (1.5 feet) is the standard.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified various parcels within Lone Mountain from R-U and R-E zoning to R-E (RNP-I) zoning, and from R-A zoning to R-A (RNP-I and RNP-II) zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	R-E	Single family residential
South & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

The plans show that there is a proposed 8 foot high retaining wall along the south property line with a 5 foot high wrought iron fence on top, and there is a 9 foot high retaining wall along the east property line also with a 5 foot high wrought iron fence on top. The proposed wrought-iron on top of the retaining wall creates a terraced design and breaks-up the visual mass of the wall. Staff finds that due to the significant amount of grade difference and the need to increase the finished grade to properly elevate the pad site for the proposed residence, staff can support the increase in retaining wall height.

Public Works - Development Review

Design Review

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Comply with approved drainage study PW21-10872;
- Right-of-way dedication to include 30 feet for Verde Way, 30 feet for Jensen Street, and the associated spandrel.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS: 3 cards, 1 letter

COUNTY COMMISSION ACTION: October 20, 2021 – HELD – To 11/03/21 – per the applicant.

APPLICANT: DAN GILBERT

CONTACT: PERAMANCE ENGINEERING, 4525 W. HACIENDA AVE., STE 1, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-21-0447</u> DATE FILED: <u>8/17/21</u> PLANNER ASSIGNED: <u>102</u> TAB/CAC: <u>LOVE MT.</u> TAB/CAC DATE: <u>9/28/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/20/21</u> FEE: <u>\$1075 (DR) / \$475 (WS)</u>
	PROPERTY OWNER NAME: <u>Dan & Claudia Gilbert</u> ADDRESS: <u>4265 Kevin Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-236-5235</u> CELL: <u>702-236-5235</u> E-MAIL: <u>dan@vtconstruction.org</u>
	APPLICANT NAME: <u>Dan & Claudia Gilbert</u> ADDRESS: <u>4265 Kevin Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-236-5235</u> CELL: <u>702-236-5235</u> E-MAIL: <u>dan@vtconstruction.org</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Per4mance Engineering, llc. c/o Ray Fredericksen</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 #: _____

ASSESSOR'S PARCEL NUMBER(S): 125-31-403-004
 PROPERTY ADDRESS and/or CROSS STREETS: SEC Jensen St. & Verde Way
 PROJECT DESCRIPTION: A single custom home development - DR for grading 18" above ex. grade

(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] Dan Gilbert / CLAUDIA GILBERT
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON May 13, 2021 (DATE)

By Dan Gilbert, Claudia Gilbert
 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.



WS 21-0447

PLANNER
COPY

June 10, 2021

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

**Re: Justification Letter SEC – Jensen & Verde SFR – Design Review
(APN(s): 125-31-403-004)**

Dear Planner,

Per4mance Engineering, llc. on behalf of the applicant, Dan and Claudia Gilbert, respectfully submits this justification letter in support of the Design Review and Waiver of Development Standards applications for the subject development. The proposed project requires a Design Review as follows:

- 1) Finish grade of the subdivision is greater than 18-inches above existing grade

Design Review #1 – Finish Grade 18-inches above existing grade

The proposed finish grade of the proposed development exceeds 18-inches above the existing grade as the site slopes from west to east. The existing site contours show the site slopes 18-ft from west property line to the east property line over approximately 280-feet (2610-ft – 2603-ft = 18-ft elevation change over 280 feet = 6.4% existing site slope). By using standard Clark County design criteria the proposed building finish floor needs to be at an elevation as currently designed. The proposed main house finish floor elevation has been placed at an elevation that is 18-inches above the adjacent centerline grade. We have also used minimum design criteria of 1.0% minimum to set the lot(s) high point from the street flowline the result is a pad elevation that requires the above-mentioned grading design review. The entire site slopes north to the existing drainage easement located along the east property line which is at an existing grade elevation of 2603.14-feet. We have included a 10-ft private drainage easement through the site along the south property line and east property line to the existing discharge point. The storm drain will pick up the offsite water from the west which is captured at the low point in Jensen Street. The minimum pad design criteria mentioned above along with the fact that the existing site slopes to the east requires the pad in most areas especially the east side of the lots to be greater than 18-inches above the existing grade. The lot has been designed such that there is a maximum of approximately 11.3 feet of fill in the center of the property. Along the east property line there will be a retaining wall at a maximum height of 9.0-feet. Therefore, the design review request is for an increase in finish grade up to 11.3 feet where 18-inches is the standard.

Waiver:

- 1) Max Retaining wall height up to 9.0-ft tall where 3-ft max is required per Clark County development code 30.64.050

Waiver #1 – Max retaining wall height 9-ft max.

The proposed finish grade of the proposed development exceeds 3-ft max retaining wall height. The max retaining wall height along the east property line for the proposed development is 9-ft max height. The minimum pad design criteria mentioned above along with the fact that the existing site slopes to the east to an existing drainage easement which has a flow line elevation approximately 17-ft lower than the grades to the west in Jensen St. The proposed house finish floor needs to be elevated 18-inches above the centerline grade in Jensen St to meet Clark County Public Works design criteria therefore requires the pad of the house to be at an elevation of 2622.00-feet. The rear yard will be terraced to help alleviate the grade difference back to existing grade. There will be a terrace with a storm drain running through it to discharge offsite flows from the west. The design will incorporate a 9-ft retaining wall at the east

4525 W. Hacienda Ave., Ste 1 – Las Vegas, NV 89118
Phone: (702) 569-9770 email: rayf@per4mancelv.com

WATER CONNECTION
(TITLE 30)

DEER SPRINGS WY/TORREY PINES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0589-ROCKWELL TRUST:

WAIVER OF DEVELOPMENT STANDARDS to not connect to municipal water in conjunction with a single family residential minor subdivision on 4.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located 230 feet north of Deer Springs Way (alignment) and 765 feet west of Torrey Pines Drive within Lone Mountain. MK/jt/jo (For possible action)

RELATED INFORMATION:

APN:

125-23-201-011; 125-23-201-013

LAND USE PLAN:

LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 6532 West Deer Springs Way
- Site Acreage: 4.5
- Number of Lots: 3
- Density (du/ac): 0.7
- Minimum/Maximum Lot Size (square feet): 63,174/86,904
- Project Type: Single family residential subdivision

Site Plan & Request

The site plan depicts a minor subdivision that will divide 2 existing residential lots into 3 lots. Currently, a 3.5 acre parcel includes a single family residence and accessory agricultural buildings, and an adjacent 1 acre parcel includes accessory agricultural buildings. The minor subdivision will create a 63,174 acre parcel on the north side of the site, an "L" shaped 86,904 square foot parcel in the central portion of the site, and a 63,633 square foot parcel with a single family residence located on the southeast portion of the site. Accessory agricultural buildings will be located on the parcels without a single family residence, which is allowed by Title 30. Some of the accessory agricultural buildings are located within the setback requirements for the new lots; however, the applicant indicates that these buildings will be moved.

This application is to allow all the vacant lots to continue to be serviced by the existing well rather than connecting to municipal water.

Applicant's Justification

The lots are owned by the same family, and the minor subdivision will realign the lot boundaries and create a new lot to better suit the family needs. The applicant would like to allow the existing well to continue to serve the property and the new lots rather than connecting to municipal water.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified various parcels within Lone Mountain to R-E (RNP-I), R-A (RNP-I), and R-A (RNP-II) to preserve the residential character	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Agricultural uses & single family residences
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family subdivision
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I) & R-A (RNP-I)	Agricultural uses

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

If a proposed minor subdivision is located within 1,250 feet of an existing water line, the vacant lots must connect to municipal water. This helps ensure that any future development will have the necessary water supply. Even though the applicant indicates that the new lots are under common ownership and intended to remain within the same family ownership, the lots could be sold in the future to different owners. If this occurs, access to the existing well could be jeopardized. As a result, staff recommends that the lots connect to municipal water as required by Title 30.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ROCKWELL TRUST

CONTACT: ROCKWELL TRUST, 1660 WALINGWOOD DR, N LAS VEGAS, NV 89031



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS 21-0589</u> DATE FILED: <u>10/12/21</u> PLANNER ASSIGNED: <u>JRT</u> TAB/CAC: <u>LOVE MOUNTAIN</u> TAB/CAC DATE: <u>11/9/21</u> PC MEETING DATE: <u>12/7/21</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$475⁰⁰</u>
	PROPERTY OWNER NAME: <u>The Henriksen Family Trust- Michael Henriksen Trustee</u> ADDRESS: <u>6532 Deer Springs Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: <u>dustin@dustinindustries.com</u>
	APPLICANT NAME: <u>The Henriksen Family Trust</u> ADDRESS: <u>125-23-201-011</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: <u>dustin@dustinindustries.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>The Henriksen Family Trust- Wes McLachlan</u> ADDRESS: <u>1660 Wailingwood Dr</u> CITY: <u>N Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89031</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: <u>dustin@dustinindustries.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 125-23-201-011

PROPERTY ADDRESS and/or CROSS STREETS: Deer Springs & Rebecca

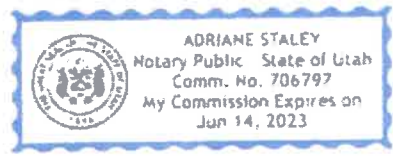
PROJECT DESCRIPTION: Waive the requirement for water development agreement and corresponding topographical mapping

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

Michael Henriksen The Henriksen Family Trust- Michael Henriksen Trustee
 Property Owner (Signature)* Property Owner (Print)

STATE OF UTAH
 COUNTY OF SALT LAKE
 SUBSCRIBED AND SWORN BEFORE ME ON 07-08-2021 (DATE)

By _____
 NOTARY PUBLIC: Adriane Staley



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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-21-0589</u> DATE FILED: <u>10/12/21</u> PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>Rockwell Trust</u> ADDRESS: <u>Pending</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Rockwell Trust- Gary Franklin Trustee</u> ADDRESS: <u>125-23-201-013</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: <u>dustin@dustinindustries.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Rockwell Trust- Wes McLachlan</u> ADDRESS: <u>1660 Walingwood Dr</u> CITY: <u>N Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89031</u> TELEPHONE: <u>702-461-4614</u> CELL: _____ E-MAIL: <u>dustin@dustinindustries.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 125-23-201-013

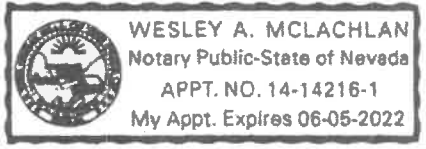
PROPERTY ADDRESS and/or CROSS STREETS: Deer Springs & Rebecca

PROJECT DESCRIPTION: Waive the requirement for water development agreement and corresponding topographical mapping

(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] Rockwell Trust- Gary Franklin Trustee
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 6-30-2021 (DATE)
 By Gary Franklin
 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.

Rockwell Trust
Clark County Current Planning Applications
MSM-20-600022 CCPW; Minor Subdivision Map
Clark County NV APN# 125-23-201-013

4/26/2021

To Whom it May Concern,

We are applying for a minor subdivision map and are currently served by an approved well system under permit from the Nevada Division of Water Resources for the subject property. Per State of Nevada regulations and approval from the State Engineer's office we are currently permitted under Nevada law to remain served by an existing water well and are requesting a waiver from Clark County Development Code which would generally require the property to be serviced by a water utility. The Las Vegas Valley Water District has issued a letter related to the specific issue in this application and the District has stated they will accept a waiver of this requirement if Clark County approves a waiver. This will allow the readjustment of the current property boundaries to better suit the closely related families in the court which have resided there for many years.

Sincerely,

Rockwell Trust

12/08/21 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

FORT APACHE RD/STANGE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-21-0610-RCAD TRUST & KHOURY MARIZ TRS:

VACATE AND ABANDON easements of interest to Clark County located between Fort Apache Road and Dapple Gray Road and between Stange Avenue and Lone Mountain Road within Lone Mountain (description on file). RM/bb/jo (For possible action)

RELATED INFORMATION:

APN:
138-05-201-004

LAND USE PLAN:
LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The 1.9 acre parcel includes patent easements on the north, east, and south property lines. Thirty-three foot wide patent easements are adjacent to the north and east property lines and a remaining 3 foot portion of a patent easement will be vacated along the south property line, adjacent to Stange Avenue. These easements are not required for development of the property.

Surrounding Land Use

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

Related Applications

Application Number	Request
WS-21-0609	A waiver of development standards for increased finished grade and retaining wall height is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Public Works - Development Review**

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:**APPROVALS:****PROTESTS:****APPLICANT: ROAD TRUST & KHOURY MARIZ TRS****CONTACT: RAY FREDERICKSEN, PER4MANCE ENGINEERING, 4525 W. HACIENDA AVE., STE 1, LAS VEGAS, NV 89118**



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <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 #):	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0610</u>	DATE FILED: <u>10-13-2021</u>
		PLANNER ASSIGNED: <u>RTP</u>	TAB/CAC DATE: <u>11-9-2021</u>
		TAB/CAC: <u>Lone Mountain</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>12-8-2021</u>	
		FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>RCAD Trust/Mariz Khoury Trust</u>
	ADDRESS: <u>4725 N. Jensen St</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u>
	TELEPHONE: <u>702-466-4453</u> CELL: <u>702-466-4453</u>
	E-MAIL: <u>rkhoury.lv@gmail.com</u>

APPLICANT	NAME: <u>RCAD Trust/Mariz Khoury Trust</u>
	ADDRESS: <u>4725 N. Jensen St</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u>
	TELEPHONE: <u>702-466-4453</u> CELL: <u>702-466-4453</u>
	E-MAIL: <u>rkhoury.lv@gmail.com</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Per4mance Engineering c/o Ray Fredericksen</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@per4mance.lv.com</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 138-05-201-004

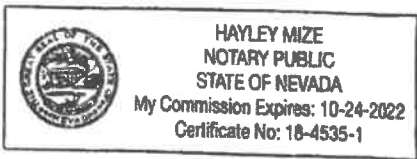
PROPERTY ADDRESS and/or CROSS STREETS: NEC - Fort Apache & Stange

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)*

Mariz Khoury
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON May 20, 2021 (DATE)
 By Mariz Khoury
 NOTARY PUBLIC: [Signature]



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

APR-21-100750



May 27, 2021

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

V 5-21-0610

**Re: NEC Fort Apache & Stange - Vacation of Patent Easements
(APN(s): 138-05-201-004)**

Dear Planner,

Per4mance Engineering, LLC. on behalf of the applicant, RCAD Trust, 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.

The 33-ft patent easements are located along the north & east property lines with 3-ft left over along the south property line. All patent easements are being requested to be fully vacated at this time as mentioned only the remaining 3-ft will be vacated along the southern property line at this time. Please refer to the enclosed exhibits for exact location.

By vacating the 33-ft patent easements the site will have a clear title and be free of encumbrances for development.

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.
President

PLANNER
COPY

12/08/21 BCC AGENDA SHEET

FINISHED GRADE
(TITLE 30)

FORT APACHE RD/STANGE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0609-RCAD TRUST & KHOURY MARIZ TRS:

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height.
DESIGN REVIEW for finished grade on 1.9 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Stange Avenue and the east side of Fort Apache Road within Lone Mountain. RM/bb/jo (For possible action)

RELATED INFORMATION:

APN:
138-05-201-004

WAIVER OF DEVELOPMENT STANDARDS:
Increase combination of screen and retaining wall height to 11.4 feet (6 foot screen wall and 5.4 foot retaining) where a maximum of 9 feet (6 foot screen wall and 3 foot retaining) is permitted per Section 30.64.050 (a 27% increase).

DESIGN REVIEW:
Increase finished grade to 72 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:
LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Number of Lots/Units: 4
- Minimum/Maximum Lot Size (square feet): 20,757/22,115
- Project Type: Single family residential

Site Plan

The site plan depicts 4 proposed single family residential lots with future access from a private internal cul-de-sac street intersecting Stange Avenue to the south.

Landscaping

Landscaping is not a part of this application.

Applicant's Justification

The applicant is requesting to increase the finished grade of the property by an additional 54 inches above the maximum 18 inches allowed by Code. The site slope decreases 10 feet from the west property line, approximately 300 feet to east property line. Stange Avenue is a low point from the south to the north property line. The requirement to be 18 inches above the adjacent street centerline, requires the proposed increased finished grades. The interior street grade was kept at a minimum to avoid needing additional fill on the eastern lots. One specific point will require 6 feet of increased finished grade and the eastern property line will have up to 5.4 feet of retaining wall in some areas, an increase of 2.4 feet above the maximum 3 foot retaining wall allowed per Code.

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-21-0610	A vacation of patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

The additional 2.4 feet of retaining wall on the east side of the property is required to meet design standards associated with drainage and road construction, and will be adequately served by, and will not create an undue burden on, any public improvements, facilities or services; therefore, staff supports this request.

Public Works - Development Review

Design Review

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- 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;
- Right-of-way dedication to include the spandrel at the southwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RCAD TRUST & KHOURY MARIZ TRS
CONTACT: RAY FREDERICKSEN, PER4MANCE ENGINEERING, 4525 W. HACIENDA
AVE, STE 1, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) \$175 <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) \$500 <input checked="" type="checkbox"/> PUBLIC HEARING \$175 <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS/DR-21-0609</u> DATE FILED: <u>10-13-2021</u> PLANNER ASSIGNED: <u>#82</u> TAB/CAC: <u>Lone Mountain</u> TAB/CAC DATE: <u>11-9-2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12-8-2021</u> FEE: <u>\$1,150</u>
	PROPERTY OWNER NAME: <u>RCAD Trust/Mariz Khoury Trust</u> ADDRESS: <u>4725 N. Jensen Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-466-4453</u> CELL: <u>702-466-4453</u> E-MAIL: <u>rkhoury.lv@gmail.com</u>
	APPLICANT NAME: <u>RCAD Trust</u> ADDRESS: <u>4725 Jensen Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-466-4453</u> CELL: <u>702-466-4453</u> E-MAIL: <u>rkhoury.lv@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Per4mance Engineering, llc. c/o Ray Fredericksen</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@per4mance.lv.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 138-05-201-004

PROPERTY ADDRESS and/or CROSS STREETS: NEC Fort Apache Rd. & Stange Avenue

PROJECT DESCRIPTION: A 4-lot custom home development - DR for grading 18" above ex. grade

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

Property Owner (Signature)*

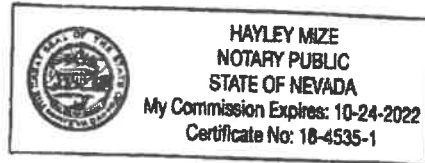
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 20, 2021 (DATE)

By Mariz Khoury

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.

DR 21-100700

WS/DR 21



May 26, 2021

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

PLANNER
COPY

**Re: Justification Letter SEC – Jensen & Verde SFR – Design Review
(APN(s): 125-31-403-004)**

WS-21-0609

Dear Planner,

Per4mance Engineering, llc. on behalf of the applicant, RCAD Trust, respectfully submits this justification letter in support of the Design Review and Waiver of Design Standards application for the subject development. The proposed project requires a Design Review as follows:

- 1) Finish grade of the subdivision is greater than 18-inches above existing grade

Design Review #1 – Finish Grade 18-inches above existing grade

The proposed finish grade of the proposed development exceeds 18-inches above the existing grade as the site slopes from west to east. The existing site contours show the site slopes 10-ft from west property line to the east property line over approximately 300-feet (2486-ft – 2476-ft = 10-ft elevation change over 300 feet = 3.3% existing site slope). By using minimum design criteria for grading of being 18-inches above the adjacent street centerline elevation and/or of 1.0% minimum to set the lot(s) high point from the street flowline the result is a pad elevation that requires the above-mentioned grading design review. The minimum pad design criteria mentioned above along with the fact that the existing site slopes to the east (with no drainage easement to accommodate the flow) requires the pads in most areas especially the east side of the lots to be greater than 18-inches above the existing grade. We have graded the interior street at minimum slope of 0.5-percent to help keep the fill to a minimum. The lots have been designed such that there is a maximum of approximately 6.0 feet of fill in the one specific point, generally the fill is less than 5-ft transitioning to a cut of up to 2-ft as you head west. Along the east property line there will be a retaining wall at a maximum height of 5.0-feet. Therefore, the design review request is for an increase in finish grade up to 72-inches where 18-inches is the standard.

WAIVER

- 1) Max Retaining wall height up to 5.4-ft tall where 3-ft max is required per Clark County development code 30.64.050

Waiver #1 – Max retaining wall height 3-ft max.

The proposed finish grade of the proposed development exceeds 3-ft max retaining wall height. The max retaining wall height along the east property line for the proposed development is 5.4-ft max height. The minimum pad design criteria mentioned above along with the fact that the existing site slopes to the east (with no drainage easement to accommodate the flow) requires the pads in most areas especially the east side of the lots to be greater than 18-inches above the existing grade. The lots have been designed such that there is a maximum of approximately 6.0 feet of fill in the one specific point, generally the fill is less than 5-ft along the east property line. Therefore, the waiver request is for an increase in retaining wall height up to 5.4-ft (8 courses) where 3-ft is the standard.

WS/DR-21-0609

If you have any questions, please contact our office.

Thank You.



Ray Frederickson, P.E.
President

PLANNER
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